THE HISTORIE OF THE COVNCEL OF TRENT.

Conteining eight Bookes.

In which (beſides the ordinarie Actes of the Councell) *are declared many notable occurrences, which happened in* Chriſtendome, during the ſpace of fourtie yeeres and more.

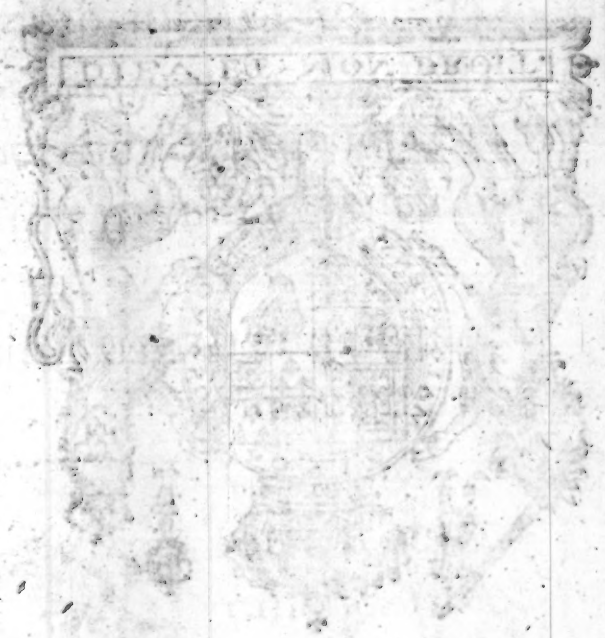
And, particularly, the practiſes of the Court of Rome, *to* hinder the reformation of their errors, and to maintaine their greatneſſe.

Written in Italian by *Pietro Soaue Polano*, and faithfully tranſlated *into Engliſh by* NATHANAEL BRENT.

LONDON

Printed by ROBERT BARKER, and IOHN BILL, Printers to the Kings moſt Excellent MAIESTIE.

ANNO DOM. M.DC.XX.



TO HIS MOST SACRED MAIESTIE.

I Offer to your MAIESTIES view the trueſt and moſt iudicious Eccleſiaſticall Hiſtorie, that either moderne times, or any antiquitie hath afforded to the world, impaired (I confeſſe) in beautie, as being tranſported out of the naturall luſtre both of ſtile and phraſe, by a rude and vnskilfull Tranſlator, but nothing altered in the trueth and ſincerity of the matter which it handleth.

The Author, a ſtranger to theſe parts, conuerſant onely where the Goſpel cannot be truely preached, was moued to write it, as for the common good of all Chriſtendome, ſo particularly in contemplation of your Maieſties ſeruice. For as you hold the higheſt place amongſt all Kings and Princes, and are Gods greateſt Lieutenant vnder the whole cope of heauen, ſo your admirable perfections, of Wiſdome, Learning, Iuſtice, and Religion (with which your royall breaſt is inriched beyond all compariſon to bee made with any others) caſt foorth their bright ſhining rayes into all Countreys and quarters of the world, and rouſe vp the endeauors of the worthieſt, euen in places the fartheſt remote, to labour in the building vp, or repairing of Gods Church, ſo

farre as the tyranny of Antichriſt, vnder which they liue, and the ſafetie of their liues, which nature bindes them to preſerue, doth giue them leaue. In which number, is the Author of this preſent Treatiſe. The end and ſcope whereof being the glory of *God*, by diſcouery of thoſe practiſes, which, for many yeeres, haue beene concealed by the enemies of CHRIST, the aduancement of true pietie and Religion, I know not to whom it may be addreſſed more iuſtly, then to the greateſt Maieſty vpon the whole ſurface of the earth, and the chiefeſt *Defender* of the true faith amongſt vs.

And ſurely if euer any booke (except onely the Booke of God) did deſerue the protection of ſo excellent a Patron, it is this Hiſtorie of the Councell of *Trent*. For, of all the things in the world, Religion is of the greateſt conſequence, and, in Religion, Ecumenicall Councels (next after the holy Writ) haue euer caried the greateſt ſway; which being true, and guided by the *holy Ghoſt*, haue beene cauſes of infinite bleſsings, but being pretended only, and gouerned by humane policies and Arte, haue brought foorth as many miſchiefes and afflictions to the Church of God.

Now in this of *Trent* it is plainely diſcouered, that the *Biſhops* of *Rome* (of whom eight liued and died, during the time of the Synode and treatie thereof) in ſtead of being CHRIST'S holy *Vicars*, as they pretend, haue beene the greateſt, and moſt pernicious *quackeſaluing iuglers* that euer the earth did beare.

It would be infinite to relate the Stratagems they vſed to diuert it, before it began; their poſtings to and fro, to hinder the propoſing of thoſe things which they thought would diminiſh their profit, or pull downe their pride; their policies, to enthrall the Prelates and Diuines, by hopes and feares; their diligence in ſending their adherents to *Trent*, and ſo, by procuring a *maior* part of voices, to make themſelues the abſolute Lords of all the determinations that paſſed. By which deuices that which was deſired by godly men, as the onely remedy againſt all the errors in manners and doctrine, both in Church and Common-wealth, and eſpecially againſt the greateſt enormities of the Popes themſelues, hath

beene

beene wrested to a quite contrary vse, to weaken the lawfull rights of Kings and Princes, to peruert the doctrine and Hierarchie of the Church of GOD, and to lift vp the Papacy to an vnsufferable height of pride. This is that holy and great Synod, of which the Romanists doe boast themselues so much.

And indeed euery one of any meane capacitie may easily know, that many controuerted points betweene them and the true Professors, necessary (as they maintaine) for the sauing of mens soules, had neuer any colourable establishment but this; which insensibly creeping in by the superstition of the vulgar, or secretly set on foote by those that were ambitious and couetous, or (at the best) blindly zealous, haue alwaies beene opposed by the Orthodox, euen publikely, vntill the malitious industry of the greater part, put to silence (though neuer quite ouercame) the paucitie of the better. So that their vaunting of the Antiquitie of their Religion, and of the infancie of ours, is vaine and idle.

And if they will glory (as vsually they doe) of the vniuersalitie of their doctrine, because it was established (forsooth) by *the holy Ecumenicall Councell of Trent*, as they terme it, none can better iudge then your MAIESTY how factious and how vnlawfull that assembly was, and, by this Historie, whole world may vnderstand the weaknesse of that foundation.

The Almightie blesse your MAIESTIE with length of daies, strength of bodie, loyaltie of your people, and with all imaginable happinesse in your most Royall Progenie, and in swaying the Scepter of your Dominions.

Your Sacred Maiesties

most humble, and most faithfully deuoted Subiect,

NATHANAEL BRENT.

TO THE READER.

COurteous Reader, thou ſhalt ſee in this Booke greater varietie of remarkeable accidents, then, before the reading of it, thou couldeſt haue poſſibly imagined. The ſtate of religion quite altered, in diuers Kingdomes and Countreys of Chriſtendome; the *Grandies* ſometimes diuided and armed one againſt another, ſometimes ioyned in confederations and leagues; the *Eccleſiaſtikes* oppreſſed; the *Proteſtants* perſecuted; the *Biſhops* of *Rome*, as it were, acting their parts, and moſt liuely deciphered in their naturall colours. If learning will content thee, marke the diſputations of the Theologues, and the deepe diſcourſes of the Author himſelfe. If policie will pleaſe thee, thou ſhalt finde it in the conſultations and treaties of Princes, managed, with admirable dexteritie by their Ambaſſadors and Miniſters; and generally no delight will bee wanting to thee, which thy curioſitie can deſire, or any other Hiſtorie affoord. But conſider, aboue all, in what a ſtrange manner the Conciliarie Acts of this aſſembly in *Trent* were caried. By reading of thoſe few words of thy Countrey-man *Edmond Campian*, below in this page, thou maiſt perceiue in what repute the Papalins doe hold it; and after, when thou haſt read the Booke, thou wilt know how much it is ouer-valued. Compare thy iudicious cenſure with his that is partiall, and thou ſhalt finde them to agree as white with blackeneſſe, darkeneſſe with light. Farewell.

Verba *Edmundi Campiani*, ratione quarta, reddita *Academicis.*

TRidentina Synodus quo magis inueteraſcet, eò magis indies eoque perennius efflореſcet. Bone Deus, quæ gentium varietas, qui delectus Epiſcoporum totius orbis, qui regum & rerumpublicarum ſplendor, quæ medulla Theologorum, quæ ſanctitas, quæ lachrymæ, quæ ieiunia, qui flores Academici, quæ linguæ, quanta ſubtilitas, quantus labor, quum infinita lectio, quantæ virtutum & ſtudiorum diuitiæ auguſtum illud Sacrarium impleuerunt?

The words of Edmond Campian *in his fourth reaſon giuen* to the Vniuerſities.

THe Synod of *Trent* the older it waxeth, the more it will flouriſh. Good God, what varietie of Nations, what choice of Biſhops of the whole world, what ſplendor of Kings and Common-wealths, what marrow of Theologues, what ſanctitie, what weepings, what Academicall flowres, what languages, what ſubtilties, what labour, what infinite reading, what riches of vertues and ſtudies did fill vp that Maieſticall ſacred place?

KEVDEN
LOTHE

TO THE MOST REVEREND FATHER IN GOD, MY SINGVLAR GOOD LORD, THE LORD

Archbiſhop of *Canterburie* his GRACE, Primate of all ENGLAND, and Metropolitane, and one of His MAIESTIES moſt Honourable Priuie Councell.

MOſt Reuerend in Chriſt, It may ſeeme ſtrange (and I am ſure it is without example) that of one Councel onely ſo large an Hiſtorie ſhould be written, and ſo full of all varietie of matter. For in thoſe of former ages, in which the holy Ghoſt *did really and effectually aſſiſt the Fathers, howſoeuer more Prelates and Diuines were aſſembled from places more remote, and the actions guided by the greateſt Princes of all thoſe times, yet nothing was attempted to encreaſe or mainetaine the hereſies and abuſes that raigned then, nor was any thing remarqueable, but the very doctrines and decrees themſelues. But after that the* Biſhops *of* Rome, *ſcorning to bee miniſters and ſeruants, made themſelues maſters and Monarkes of the Church of God, the practiſes and inuentions of worldly men chaſed away the heauenly inſpirations of the bleſſed Spirit, and greater confuſions and troubles did ariſe in handling diuine myſteries, then did happen at any other time in negotiating the affaires of Kingdomes and of Common-wealths. This hath miniſtred a whole Ocean of occurrences, and affoorded a moſt copious ſubiect to this preſent Treatiſe.*

And ſo irreſiſtable is the force of truth, and the diuine prouidence ſo great, that howſoeuer the Romaniſts haue vſed all poſſible diligence to hinder the finding out of their vnlawfull proceed-

ings

ings in this Councell, by ſuppreſſing all publique writings and monuments, by which their treacheries and abuſes might be diſcouered more plainely to the eyes of the world, the writer of this Hiſtorie (a man of admirable learning, exquiſite iudgement, indefatigable induſtrie, and integritie ſcarcely to be matched) hath beene raiſed vp by God, who, out of the Diaries, Memorials, Regiſters, *and other writings, made and preſerued by the Prelates and Diuines themſelues, and by the Ambaſſadours of Princes and Republiques, who were aſsiſtants herein (which are the moſt infallible grounds that any writer can haue) hath reuealed an infinitie of intolerable abuſes, and (as the prouerbe ſaith)* Cornicum oculos confixit.

This Booke I haue tranſlated out of Italian into our vulgar language, preſuming to commend it to the royall protection of his ſacred Maieſtie, for whoſe ſake (as ſome reaſons induce me to beleeue) it was principally compoſed. And becauſe I vndertooke this worke at your Graces *command, who haue beene the chiefeſt cauſe why the originall croſſed the Seas before the iuſt natiuitie of it, and ſaw the firſt light within his Maieſties dominions, as alſo in regard of the high place you moſt deſeruedly beare in the Church of God, I thought it my dutie to craue your fauour likewiſe; that as the birth of it hath beene happie by your* Graces *meanes, ſo the growth may accordingly proceede, and the fruit of both (which is to remooue an erronious opinion of the infallibilitie of this pretended Councell) may conſtantly endure vntill the worlds end.*

In publiſhing heereof, if my Pen hath not merited ſuch praiſe as others might, yet my deſire to benefit Gods Church hath not beene wanting, and my zeale to ſerue your Grace, *in whatſoeuer I am able, ſhall neuer yeeld to any. Vnto whom I wiſh (for the publike benefit of Church and Common-wealth, and for your owne particular contentment) a perfect accompliſhment of all your pious and honorable deſignes.*

Your Graces

moſt obliged to doe
you ſeruice,

NATHANAEL BRENT.

1500

Pope ALEXANDER. 6. *Emperour* MAXIMILLIAN I

HENRY 7. *king of England.*
LEWIS 12.° *French king.*

THE FIRST BOOKE OF THE HISTORY OF THE COVNCELL OF TRENT.

Y purpose is to write the Hiſtory of the *Councell of Trent*. For though many famous Hiſtorians of our age haue made mention in their writings of ſome particular accidents that happened therein, and *Iohn Sleidan*, a moſt diligent author, hath related, with exquiſite induſtry, the cauſes that went before, notwithſtanding all theſe things put together would not ſuffice for an entire narration.

The purpoſe of the Author

For my ſelfe, ſo ſoone as I had vnderſtanding of the affaires of the world, I became exceeding curious to know the whole proceedings therof: and after I had diligently read whatſoeuer I found written, and the publique inſtructions, whether printed or diuulged by pen, I betooke my ſelfe, without ſparing either paines or care, to ſearch in the remainder of the writings of the Prelates, and others who were preſent in the Councel, the Records which they left behind them, and the Suffrages or opinions deliuered in publique, preſerued by the Authors themſelues, or by others, and the letters of aduiſe written from that Citie; whereby I haue had the fauour to ſee euen a whole regiſter of Notes and Letters of thoſe perſons, who had a great part in thoſe negotiations. Hauing therefore collected ſo many things as may miniſter vnto me ſufficient matter for a narration of the progreſſe, I am reſolued to ſet it downe in order.

The meanes he vſed for collection of his matter.

I will relate the cauſes and managings of an Eccleſiaſtical Conuocation, by ſome, for diuers ends, and by diuers meanes procured and haſtened, by ſome hindered and deferred for the ſpace of 22. yeeres: and for 18. yeeres more, ſometimes aſſembled, ſometimes diſſolued, alwayes celebrated with diuers intentions, and which hath gotten a forme and concluſion contrary altogether to the deſigne of them that procured it, and to the feare of thoſe that with all diligence diſturbed it; a cleere inſtruction for vs to referre our ſelues to God, and not to truſt in the wiſedome of man.

Alexand. 6. Maximill 1. Henry 7. Lewis 12.

For this Councell desired and procured by godly men, to reunite the Church which began to bee diuided, hath so established the Schisme, and made the parties so obstinate, that the discords are become irreconciliable: and being managed by Princes for reformation of Ecclesiasticall discipline, hath caused the greatest deformation that euer was since Christianity did begin: and hoped for by the Bishops to regaine the Episcopall authority, vsurped for the most part by the Pope, hath made them loose it altogether, bringing them into greater seruitude: on the contrary, feared and auoided by the Sea of Rome, as a potent meanes, to moderate the exorbitant power, mounted from small beginnings by diuers degrees vnto an vnlimited excesse, it hath so established and confirmed the same, ouer that part which remaineth subiect vnto it, that it was neuer so great nor so soundly rooted.

The conclusion of this Councel was contrary to the opinion of all men.

It will not be inconuenient therefore to call it the Iliade of our age; in the explanation wherof I will exactly follow the trueth, not being possessed with any passion that may make me erre. And hee that shall obserue that I speake more copiously of some times, and more sparingly of others, let him remember that all fields are not equally fruitfull, nor all graines deserue to be kept: and that, of those which the Reaper would preserue, some eare escapeth the hand, or the edge of the sickle; that being the condition of euery haruest, that some part remaineth to be gleaned after.

The originall cause & progresse of Synods.

But first I must call to minde, that it hath been a most ancient custome in the Church of Christ to compose the differences of Religion, and to reforme the corrupted discipline, by the conuocation of Synods. So the first which began in the life time of many of the holy Apostles, whether the conuerted Gentiles were bound to obserue *Moses* law, was composed by a meeting in Hierusalem of foure Apostles, and of all the faithfull which were in that Citie: by which example in the occurrences which incidently sprung vp in euery prouince for the space of 200. yeeres and more afterwards, the Bishops and chiefest of the Churches assembled themselues together to qualifie and end them; that being the onely remedy to reunite diuisions, and to accord contrary opinions.

But after that it pleased God to giue peace vnto his Church, by exciting *Constantine* to fauour religion, as it was more easie for many Churches to communicate and treate together, so also the diuisions became more common. And whereas before, the differences went not out of a citie, or, at the most, out of a Prouince, now by reason of the libertie of meeting together, they extended themselues ouer the whole Empire. Wherefore also it was necessary that the Councels (which were the vsuall remedie) should be assembled from places more distant. Whereupon a Councel of the whole Empire, being congregated in those times by that Prince, it had the name of the holy and great Synod, and a litle after was called the general & Oecumenical Councel, though not assembled from all parts of the Church, a great part whereof extended it selfe beyond the bounds of the Romane Empire; but because the vse of that age was to call the Emperour Lord of the whole habitable earth, howbeit the tenth part thereof was not subiect vnto him. By which example the like Councels were called by *Constantine* his successors in other occurring differences of Religion. And though the Empire was diuided into

the

the Easterne and Westerne, notwithstanding the affaires thereof being managed vnder a common name, the Conuocation of Synods throughout the whole continued still.

PIVS 3. IVLIVS 2. MAXIMIL. 1.

But after that the East was so diuided from the West, that there remained no more communion in the Soueraignty, and after that the East was for the most part possessed by the *Saracens*, and the West parted amongst many Princes, the name of an vniuersall and œcumenicall Councell was no more deriued from the Roman Empire, but amongst the *Grecians*, from the assembly of the fiue Patriarkes, and in these countreys of ours, from the vnitie and communion of those Kingdomes and States which obeyed the Pope in causes Ecclesiasticall. And the assembling of these hath beene continued, not to appease the dissentions about Religion principally, as before, but either to make warre in the Holy-land, or to compose Schismes and diuisions of the Church of *Rome*, or else for controuersies betweene the Bishops and Christian Princes.

HENRY 7. LEVVIS 12.

A new deriuation of the name of general Councels.

In the beginning of the 16. centurie of yeeres after the natiuitie of our Sauiour Christ, there appeared no vrgent cause to celebrate a Councell, neither was there any likely to happen for a long space. For the complaints of many Churches against the greatnesse of the Court, seemed absolutely to be appeased, and all the countreys of the Westerne Christians were in the communion and obedience of the Church of *Rome*. Onely in a small part, that is in that tract where the Alpes are ioyned with the Pyrenees, there were some remainders of the olde *Waldenses* or *Albigenses*. In whom notwithstanding there was so great simplicitie and ignorance in learning, that they were not fit to communicate their doctrine vnto others; besides their neighbours conceiued so sinister an opinion of their impietie and obscenitie, that there was no danger that the contagion could spread any further. 1500

Waldenses in the Alpes.

In some Cantons also of *Bohemia* there were some few who maintained the same doctrine, euen remnants of those whom the Bohemians call Picards; whose increase could not be feared for the same reason.

Picards in Bohemia.

In the same Kingdome of *Bohemia* there were some followers of *Iohn Hus*, which were called *Calistini*, or *Subutraque*, who, except that particular, that in the holy Communion they ministred the Cup vnto the people, in other things differed not much from the doctrine of the Church of *Rome*. But these also were not esteemed considerable, aswel for their small number, as because they wanted learning; neither did it appeare that they desired to communicate their doctrine, nor that others were curious to vnderstand it.

Calistini in Bohemia.

There was yet some danger of Schisme. For *Iulius* the second hauing addicted himselfe more to the Arts of warre, then to the Priestly ministery, and gouerned the Popedome with excessiue imperiousnesse towards the Princes and Cardinals, had constrained some of them to separate themselues from him, and to call a Councell. And the French King *Lewis* the twelfth, excommunicated by the same Pope, had withdrawen his obedience from him, and was ioyned with the separated Cardinals; which beginning, did seeme might produce some important cõclusion. But *Iulius* opportunely dying, and *Leo* being created in his stead, with his dexterity he reconciled, in a very short space, the Cardinals and the Kingdome of *France* both together: so that a fire was

Pope *Iulius* the second was more a souldier then a Clergie man.

Lewis the 12. excommunicated.

quenched with admirable celeritie and eaſe, which in likelihood might haue burned the Church.

LEO 10. MAXIMIL. 1.

HENRY 7. LEVVIS 12.

Leo the tenth, as one whoſe birth and education was noble, adorned the Papacie with many good parts which he brought into it; amongſt which were his ſingular learning in humanitie, goodneſſe, and a marueilous ſweete manner in treating of affayres, together with a pleaſing behauiour, more then humane, ioyned with incomparable liberalitie, and a great inclination to fauour thoſe that were learned, and endowed with any extraordinary qualitie. Which vertues were not found in that Sea of a long time before, neither equall, nor neere vnto his. And he would haue been a Pope abſolutely compleate, if with theſe he had ioyned ſome knowledge in things that concerne Religion, and ſome more propenſion vnto pietie, of both which he ſeemed careleſſe. And as he was moſt liberall and well ſeene in the Arte of giuing, ſo in that other of gaining he was not able enough of himſelfe, but vſed the aſſiſtance of *Lorenzo Pucci*, Cardinall of *Santi Quatro*, a man exceeding ſufficient in that behalfe.

The deſcription of Pope Leo.

Leo therefore finding himſelfe in this ſtate, quiet, the Schiſme extinguiſhed abſolutely, without an aduerſary, as one may ſay, (becauſe thoſe few *Waldenſes* and *Caliſtini* were not any way conſiderable) liberall in ſpending and rewarding aſwell his kindred, as Courtiers, and profeſſors of learning, other fountaines, from whence the Court of *Rome* was wont to draw riches vnto it ſelfe out of other nations, being dried vp, he thought fit to ſerue himſelfe of that of Indulgences.

When the Art of gaining money by Indulgences began.

This manner of gaining money was put in practiſe after the yeere 1100. For Pope *Vrbane* the ſecond hauing granted a plenary Indulgence & remiſſion of all ſinnes to whoſoeuer made warre in the Holy land, to regaine and ſet at liberty the Sepulchre of Chriſt, out of the hands of the *Mahumetans*, was imitated by his ſucceſſors for many hundreds of yeeres; ſome of which (as alwayes new inuentions are enlarged) granted it to thoſe that maintained a ſouldier, in caſe they could not, or would not goe to warre themſelues in perſon. And after in progreſſe of time, the ſame Indulgences and Pardons were giuen for the taking of armes againſt thoſe that obeyed not the Church of *Rome*, although they were Chriſtians: and for the moſt part infinite exactions were made vnder thoſe pretences; all which, or the greater part, were applied to other vſes,

Leo granted a plenary Indulgence.

Leo being counſelled, by the Cardinall of *Santi Quatro*, to follow theſe examples, ſent an Indulgence and pardon for ſinnes throughout all Chriſtendome, granting it to whoſoeuer would giue money, and extending of it euen vnto the dead; for whom when the diſburſement was made, his will was that they ſhould be freed from the paines of Purgatory; giuing alſo power to eate egges and whitmeats on faſting dayes, to chooſe themſelues a Confeſſor, and other ſuch like abilities. And although the execution of this enterpriſe of *Leo* had ſome particular in it that was neither pious nor honeſt, as hereafter ſhall appeare (which did giue ſcandall, and cauſed innouation) notwithſtanding many of the grants formerly made by the preceding Popes, had cauſes more vniuſt, and were exerciſed with more auarice and extortion. But occaſions ariſe many times which are able to produce notable effects, and yet

come

come to nothing, for want of those that know how to vse them. And which is more, it is necessary, for the effecting of any thing, that the time come in which it may please God to correct the errours of men. All these things met together in the time of *Leo*, of whom we speake. 1517 LEO 10. MAXIMIL. 1. HENRY 8. FRANCIS 1.

For hauing published an vniuersall grant of Indulgence, in the yeere 1517. he distributed part of the harueſt, before it was reaped or well sowed, giuing vnto diuers persons the reuenues of diuers Prouinces, and reseruing some also for his owne Exchequer. In particular, the Indulgences of *Saxonie*, and of that arme of *Germanie*, which reacheth from thence vnto the sea, hee gaue to his sister *Magdalene*, wife vnto *Franceschetto Cibo*, bastard sonne of *Innocentius* the eighth: By reason of which marriage, this *Leo* was created Cardinall at the age of fourteene yeeres, which was the first beginning of Ecclesiasticall greatnesse in the house of the *Medici*. And *Leo* vsed this liberalitie, not so much through brotherly loue, as for recompense of the charges which the familie of *Cibo* were at, when he retired himselfe to *Genoa*, not daring to abide in *Rome* so long as *Alexander* the 6. had linked himselfe with the Florentines, who being enemies to the house of the *Medici*, had chased it out of *Florence*. The sister (that the Pope his gift might be profitable vnto her) committed the care of preaching the Indulgences, & exacting the money vnto Bishop *Aremboldus*, who in the assumption of the Episcopal dignity, deuested not himselfe of any of the qualities of a perfect *Genoa* Merchant. This man gaue power to publish the Indulgences to whosoeuer promised to raise most profit by them, without any regard of the qualitie of the persons, euen so sordidly, that no man of any tolerable condition could contract with him; but he found Ministers like vnto himselfe, who aimed at nothing but the gaine of money.

1517.

The Popes sister hath a great part of the benefit of Indulgences.

Leo was created Cardinal at the age of fourteene.

Aremboldus was the agent of the Popes sister.

It was a custome in *Saxonie*, that whensoeuer Indulgences were sent by Popes, the Friars of the order of the Heremites were imployed to publish them. The Pardonmongers, Ministers of *Aremboldus*, would not goe to these, because, being accustomed to manage the like merchandizes, they might vse some deuice to draw some secret profit to themselues, and from whom likewise, as practised in this office, they expected not any extraordinary thing, which might bring them more then vsuall aduantage; but they went to the Dominican Friars. These men, in publishing the Indulgences, desiring to amplifie the value of them, more then others had done before, spake many strange things, which gaue cause of scandall. Whereunto was added the bad life of the Pardoners, who in Tauernes, and elsewhere, in games, and other things not fit to bee named, spent that which the people spared from their necessary expences, to purchase the Indulgences.

The Heremite Friars were publishers of Indulgences in *Saxonie* by custome.

The Dominicans were imployed by the ministers of *Aremboldus*.

By these meanes *Martin Luther*, an Heremite Friar, being stirred vp, began to speake against the Pardoners, first reprehending these new excessiue abuses onely; after being prouoked by them, hee set himselfe to studie this matter, being desirous to see the foundations and the rootes of the doctrine of Indulgences. Which when he had examined, passing from the new to the old abuses, and from the building to the foundations, he published 95. conclusions in this matter, which were proposed to bee disputed on in *Wittenberg*, where they being seene and read, they were not opposed in any vocall conference, because no man appeared against him: but *Iohn Thecel*, a Dominican

Martin Luther speaketh against the Indulgences.

95. Conclusions of *Luther*.

Iohn Thecel a Dominican proposed Conclusions contrary to those of *Luther*.

1517 Friar, propoſed others contrary vnto theſe, in *Frankfort* of *Brandeburg*.

LEO 10 MAXIMIL. 1. HENRY 8. FRANCIS 1.

Theſe two files of Concluſions were, as one may ſay, a ioyning of iſſue. Wherefore *Martin Luther* went on to write in defence of his, and *Iohn Ecchius* to oppoſe them; and theſe Concluſions, together with other writings, being gone to *Rome*, *Siluester Prierius*, a Dominican Friar, wrote againſt *Luther*. Which conteſtation enforced both the one and the other partie to ſwarue from this matter, and paſſe to other things of greater importance.

Iohn Ecchius oppoſeth *Luthers* concluſions.

Siluester Prierius wrot againſt *Luther*.

For the doctrine of Indulgences hauing not been well examined in former ages, which did neuer conſider how they might bee defended and maintained, or how impugned, the eſſence and cauſes of them were not well vnderſtood. Some thought they were nothing but an abſolution or freeing, made by authority of the Prelate, from penance which the Church in the moſt ancient times impoſed, by way of diſcipline, vpon the penitent, (which impoſition was aſſumed in ſucceeding ages by the Biſhop onely, after delegated to the penetentiary Prieſt, and in concluſion left wholly to the will of the Confeſſor) and that they deliuered vs not from paying the debt due to the Iuſtice of God. Others thinking that this brought more hurt vnto Chriſtians then benefit, who being deliuered from Canonicall puniſhments, became negligent to ſatisfie the diuine Iuſtice with voluntary penance, began to bee of opinion, that they ſet vs free from both the one and the other: but theſe were diuided. Some thought that they ſet vs free, though nothing were giuen in recompence for them. Others abhorring that opinion, ſaid, that by reaſon of the mutuall participation in charitie, of the members of holy Church, the penance of one might bee communicated vnto another, and free him by this compenſation. But becauſe it ſeemed that this was more proper to men of an holy and auſtere life, then to the authoritity of Prelates, there aroſe a third opinion, vvhich made them in part an abſolution, becauſe authority was neceſſary for them, and in part a compenſation. But in regard the Prelates liued not in ſuch ſort, as that they could ſpare much of their merits for others, there was made a treaſurie in the Church full of the merits of all thoſe who had more of them then would ſerue their owne turnes; the diſpenſation whereof is committed to the Pope, who when he giueth Indulgences, recompenſeth the debt of the ſinner, by aſſigning ſo much in value out of the treaſurie. Neither was there an end of the difficulties; for it was oppoſed that the merits of Saints being finite and limited, this treaſure might be diminiſhed. Wherefore deſiring to make it indeficient, they added the merits of Chriſt, which are infinite: Whence aroſe a doubt what need there might be of the little drops of the merits of others, when there was an infinite Ocean of the merits of Chriſt: which gaue cauſe to ſome to make the treaſure to bee onely of the merits of our Sauiour.

The treaſure of the Church

Theſe things, ſo vncertaine at that time, and which had no other foundation then the Bull of *Clement* 6. made for the Iubilie of the yeere 1350, ſeemed not ſufficient to oppugne the doctrine of *Martin Luther*, to reſolue his reaſons, and to conuince him. Wherefore *Thecel*, *Ecchius*, and *Prierius*, ſeeing themſelues not ſtrong enough in points proper for this matter, betooke themſelues to common places, and layd for their groundworke the Popes authoritie,

The aduerſaries of *Luther* proue the doctrine of Indulgences by common reaſons only.

ritie, and consent of the Schoolemen; concluding that the Pope, not being able to erre in matters of faith, and hauing approoued the doctrine of the Schoolemen, and himselfe publishing the Indulgences to all the faithfull, it was necessary to beleeue them as an article of faith. This gaue occasion to *Martin* to passe from Indulgences to the authority of the Pope; which being predicated by others to be the highest in the Church, was by him made inferiour to a Generall Councel lawfully called, wherof he said there was neede in that instant, and vrgent necessity: and the heat of disputation continuing, the more the Papall authority was aduanced by others, the more it was by him abased. Notwithstanding, he conteined himselfe within the bounds of speaking modestly of the person of *Leo*, and sometimes suspended his iudgement. And for the same reason, the doctrine of remission of sinnes, of Penance, and of Purgatory was set on foote, the Romanists seruing themselues of all these common places for proofe of Indulgences.

1518
LEO 10. MAXIMIL.
HENRY 8. FRANCIS 1.
Luther beginneth to speake against the Popes authority, and other doctrines of the Roman Church.

Friar *Iames Hogostrat*, a Dominican Inquisitor, wrote against *Martin Luther* more to the purpose then them all; who, setting these reasons aside, exhorted the Pope to conuince *Martin* with chaines, fire, and flames.

Iames Hogostrat his perswasion to the Pope.

Neuertheless, the controuersie grew still more bitter, and *Martin* alwayes went forwards to some new proposition, as occasion was offered. Wherefore Pope *Leo* caused him to be cited to *Rome* by *Hierom* Bishop of *Ascoli*, Auditor of the Chamber, in August 1518; and wrote a Briefe to *Fredericke* Duke of *Saxonie*, exhorting him not to protect him. He wrote also to *Thomas de Vio*, Cardinall *Caietan*, his Legat in the diet of *Ausburg*, that he should vse all diligence to commit him to prison, and to send him to *Rome*. Diuers meanes were vsed to the Pope, that he would be contented to order that his cause might be examined in *Germanie*; who yeelded to referre it to his Legat, vnto whom the iudicature thereof was committed, with instruction, that if he could discouer any hope of repentance in *Martin*, he should receiue him into fauour, promising him pardon of all his errours past, together with honors and rewards, referring the whole to his wisedome; but in case he found him incorrigible, he should desire *Maximilian* the Emperour, and the other Princes of *Germanie*, that he might be punished.

1518
Meanes vsed by the Pope to bring *Luther* to *Rome*.
Luthers cause referred to Card. *Caietan* the Popes Legat.

Martin went to the Legat to *Ausburg*, vnder the safe conduct of *Maximilian*; where after a conuenient conference vpon the controuersed doctrine, the Cardinall hauing discouered that by tearmes of Schoole-diuinity, in the profession whereof himselfe was most excellent, *Martin* could not be conuinced, that he alwayes serued himselfe of the holy Scripture, which is vsed but a little by the Schoolemen, he declared that he would dispute no more with him, but exhorted him to a retractation, or, at the least, to submit his Bookes and doctrine to the iudgement of the Pope, shewing him the danger he was in, if he persisted, and promising him fauours and benefits from his Holinesse. *Martin* not answering to the contrary, he thought it not fit to wring from him a negatiue, by pressing him too much, but rather to giue space, that the threats and promises might make impression, and therefore gaue him leaue to depart for that time. He caused also Friar *Iohn Stopiccius*, Vicar generall of the order of the Heremites to treate with him in conformity hereof.

Luther commeth to the Legat with the Emperors safe conduct.
Luther had leaue to depart.

Martin being returned once more, the Cardinall had much conference with

1518
LEO 10.
MAXIMIL. 1.
HENRY 8.
FRANCIS 1.

with him concerning the heads of his doctrine, rather hearing what he said, then disputing with him, to gaine himselfe credit by the proposition of accommodating the businesse. Whereunto when he descended, exhorting him not to let slip so secure an occasion, and so profitable, *Luther* answered him, with his accustomed vehemencie, that no composition could be made to the preiudice of the trueth; that he had offended no man, nor had neede of the fauour of any; that he feared no threats, and that, if any thing were vnduly attempted against him, he would appeale to a Councell. The Cardinall (who had heard that *Martin* was secured by some *Grandies*, that they might hold a bridle in the Popes mouth) suspecting that he was perswaded to speake in that sort, disdained at it, and descended to bitter reprehensions, and base tearmes, and concluded that Princes haue long hands, and so bid him be gone. *Martin*, being parted from the Legats presence, remembring *Iohn Hus* his case, went from *Ausburg* without saying any more. From whence when he was a good way distant, thinking better of his owne case, he wrote a letter to the Cardinall, confessing he had been too sharpe, laying the blame vpon the importunitie of the Pardoners, and of those that wrote against him, promising more modestie hereafter to satisfie the Pope, and not to speake any more of Indulgences; but with condition that his aduersaries should doe the like. But neither they nor he could be kept silent, but one prouoked the other; whereby the controuersie grew more sharpe.

At his returne he was more vehement then before.

Pall.

Pall

Luthers letter.

Wherefore the Court in *Rome* spake disgracefully of the Cardinall, attributing all the mischiefe to the seuerity and base termes vsed against *Luther*; they blamed him for not hauing promised him great riches, a Bishopricke, and euen the red hat of a Cardinall. And *Leo* fearing some great innouation in *Germanie*, not so much against Indulgences, as against his owne authoritie, made a Bull vnder the date of the 9. of Nouember 1518, wherein he set forth the validitie of Indulgences, and that himselfe as successor of *Peter*, and Vicar of CHRIST had power to grant them, both for the liuing and for the dead; and that this was the doctrine of the Church of *Rome*, which is mother and mistris of all Christians, which ought to be receiued of whosoeuer would be in the communion of the Church. He sent this Bull to Cardinall *Caietan*, who, being at *Lintz* in vpper *Austria*, published it, and caused many authentical copies to be made therof, sending them to all the Bishops of *Germanie*, with commandement to publish them, and seuerely, and vnder great penalties to enioyne all men not to haue any other faith.

The Cardinal is blamed in *Rome* for vsing *Luther* with base termes.

Pall.

The Bull of *Leo* for the doctrine of Indulgences.

By this Bull *Martin* saw cleerely, that from *Rome*, and from the Pope, he could looke for nothing but condemnation; and as before hee had for the most part spoken reseruedly of the person and iudgement of the Pope, so after the publication of this Bull he resolued to reiect it. Wherefore he set forth an Appeale; wherein hauing first said, that hee would not oppose himselfe to the authoritie of the Pope when he taught the trueth, he added, that he was not exempt from the common conditions of being able to erre and to sinne; alleadging the example of S. *Peter* sharpely reprehended by S. *Paul*. But he said, it was an easie thing for the Pope, hauing so great riches and retinue, to oppresse whosoeuer was not of his opinion, without respect of any; vnto whom none other helpe remained, but to flie vnto a Councell, by the benefit

Pall

The Popes Bull made *Luther* appeale to a Councell.

Pall.

of

of appeale; becauſe all reaſon perſwadeth, that a Councell ought to be preferred before him. This Appeale went throughout all *Germany*, and was read by many, and eſteemed reaſonable. Wherefore *Leo* his Bull extinguiſhed not the fire that was kindled in *Germany*. 1519 LEO 10. MAXIMIL. 1.

But it hauing giuen courage to the Court in *Rome*, as if the flame had been quenched, Friar *Samſon* of *Milan*, of the order of S. *Francis*, was ſent to preach the ſame Indulgences amongſt the *Suiſſes*; who hauing publiſhed them in many places, and collected the ſumme of 120000. crownes, came finally to *Zuric*, where *Vlricus Zuinglius* a Canon in that Church was profeſſor; who oppoſing himſelfe to the doctrine of this Friar the Pardoner, there grew great diſputation between them, paſſing alſo from one matter to another, as it happened in *Germanie*. Whereby it came to paſſe that *Zuinglius* was hearkened vnto by many, and gained credit, and was imboldned to ſpeake, not onely againſt the abuſe of Indulgences, but againſt the Indulgences themſelues, and euen againſt the authority of the Pope, who granted them. HENRY 8. FRANCIS 1. The occaſion why *Zuinglius* began to oppoſe the Pope

Martin Luther perceiuing that his doctrine was eſteemed, and that it paſſed alſo into other countreys, became more couragious, and ſet himſelfe to examine other articles; and, in the matter of Confeſſion, and of the Communion, he forſooke the opinion of the Schoolemen, and of the Church of *Rome*, approouing rather the Communion of the Cup vſed in *Bohemia*, and ſetting downe for the principall part of repentance, not the diligent confeſſion made to the Prieſt, but rather the purpoſe of amendment of life for the time to come. He paſſed alſo vnto vowes, and touched the abuſes of the Monaſticall Order; and theſe his writings, going on their iourney, arriued in *Louaine* and *Collen*; where, being ſeene and examined by the Diuines of thoſe Vniuerſities, they were condemned by them. Neither did this trouble *Martin* one iote, but rather cauſed him to goe on, and to declare and fortifie his doctrine the more it was oppoſed. *Luther* paſſeth to other points. His Bookes were condemned in *Louain* and *Collen*.

With theſe contentions rather then reſolute diſcuſſions paſſed the yeere 1519, when many aduertiſements comming to *Rome*, of the ſtirres in *Germanie* and *Suiſſerland*, augmented with many amplifications and additions, as the manner of fame is, eſpecially when matters are related from places farre diſtant, *Leo* was noted for negligence, that in ſo great dangers had not vſed powerfull remedies. The Friars particularly blamed him, that being addicted to magnificence, to hunting, to deliciouſneſſe, and to muſicke, (with which he was delighted beyond meaſure) he paſſed ouer things of the greateſt importance. They ſaid, that in point of faith the leaſt thing ought not to bee neglected, nor the prouiſion againſt it one iote to bee deferred, which, as it is moſt eaſie before the miſchiefe take roote, ſo it commeth too late when it is waxed old. That *Arius* was but a ſmall ſparkle, which might eaſily haue been put out, and yet it ſet the whole world on fire. That *Iohn Hus* and *Hierome* of *Praghe* would then haue done as much, if in the beginning they had not been ſuppreſſed by the Councell of *Conſtance*. On the contrary ſide *Leo* repented himſelfe of whatſoeuer he had done in theſe occurrences, and moſt of all of the Briefe of Indulgences ſent into *Germanie*, thinking it would haue been better to let the Friars diſpute amongſt themſelues, and to keepe himſelfe neutrall, and reuerenced by both parties, then by declaring himſelfe for 1519 The Pope was blamed. *Leo*, though reprehended for negligence thought hee had done too much.

one

1520 one to conſtraine the other to alienate themſelues from him; that this contenon was not ſo great, as that it was neceſſary to hold it in any reputation, and that, ſo long as it was lightly eſteemed of, few would thinke of it, and if the Popes name had not been vſed in it vntill then, would haue ended his courſe and ſo vaniſhed.

LEO 10. CHARLES 5. HENRY 8. FRANCIS I.

Notwithſtanding for the many inſtances of the Prelates of *Germanie*, of the Vniuerſities, who, being intereſſed by the ſentence of condemnation, betooke themſelues to the Popes authoritie for their protection, and eſpecially for the continual importunities of the Friars of *Rome*, he reſolued to yeeld to the common opinion. And hee made an aſſembly of Cardinals, Prelates, Diuines, and Canoniſts, vnto which he wholly remitted the buſineſſe. By this it was moſt eaſily concluded that the Pope ſhould denounce fire and ſword againſt ſo great an impietie. But yet the Canoniſts differed from the Diuines, theſe being of opinion that he ought preſently to deſcend to this denunciation, & thoſe ſaying that a citation ought to go before. The Diuines alleadged that the doctrine was euidētly ſeen to be impious, that the books were diuulged, and the ſermons of *Luther* notorious. The others ſaid that Notoriouſnes did not take away the defence, which is allowed by the law of God and nature, alleadging the vſuall places: *Adam* where art thou? *Where is thy brother Abel?* and in the accident of the fiue Cities, *I will goe downe and ſee.* They added that the citation of the Auditor the yeere before, by vertue whereof the iudicature was referred to *Caietan* in *Ausburg*, and remained vnperfect, if nothing elſe were, ſhewed it to be neceſſarie. After many diſputes, in which the Diuines attributed the deciſion vnto themſelues alone, becauſe the queſtion was in point of faith, and the Lawyers appropriated vnto themſelues as much as concerned the forme of iudgement, a compoſition betweene them was propoſed, diſtinguiſhing the buſineſſe into three partes, the doctrine, the bookes, and the perſon. For the doctrine the Canoniſts yeelded that it ſhould be condemned without citation; for the perſon they perſiſted to maintaine that the citation was neceſſarie. Yet not being able to ouercome others who inſiſted vpon their owne opinions with greater acrimonie, & couered themſelues with the buckler of religion, they found a middle way, that a precept ſhould be ſent to *Martin* with a conuenient terme, that ſo it ſhould be reſolued into a citation. Concerning the bookes there was more to doe. The Diuines did thinke they ought to be condemned abſolutely together with the doctrine, and the Canoniſts that they ſhould be ioyned with the perſon, and comprehended vnder the terme. It not being poſſible to make an accord herein, they did both the one and the other. For firſt they were condemned for the time preſent, and afterwards a terme allotted to burne them. And with this reſolution a Bul was framed vnder the date

A diſpute between the Diuines and Canoniſts.

1520 of the 15. of Iune 1520; Which being, as it were, a beginning and foundation of the Councell of *Trent*, whereof wee are to ſpeake, it is neceſſarie to ſet downe here a briefe Epitomie thereof.

The Popes Bull. In which the Pope directing the beginning of his words to *Chriſt*, who hath left *Peter* and his Succeſſours for Vicars of his Church, exciteth him to aſſiſt it in theſe neceſſities. From *Chriſt* he turneth to S. *Peter*, and prayeth him, by the charge which he receiued of our Sauiour, to be carefull of the diſtreſſes

of

of the Church of Rome, consecrated with his bloud. And passing to S. *Paul*, desireth the like assistance from him; adding, that, although he hath deemed heresies to be necessarie for triall of the good, yet it is conuenient to extinguish them in the beginning. Finally, turning himselfe to all the Saints of heauen, and to the Church vniuersall, hee prayeth them to intercede with God, that the Church may be purged from so great contagion. Then hee proceedeth to shew how it came to his knowledge, and how hee hath seene with his eyes, that many errors were renewed, which were condemned long before, of *Grecians*, *Bohemians*, and others, false, scandalous, apt to offend godly eares, and to deceiue simple mindes, sowed in *Germanie*, alwayes beloued both by him, and by his predecessors, who, after the translation of the *Greeke* Empire, haue euer taken their protectors from that nation, and that many pious decrees against heretikes haue beene made by those Princes, which the Popes also haue confirmed. Therefore that hee, not willing to tolerate the like errours any longer, but rather to make prouision against them, would recite some of them: and here he repeateth 42. Articles, which are in the points of originall sinne, Penance & remission of sins, of the communion, of Indulgences, of Excommunication, of the power of the Pope, of the authoritie of Councels, of good works, of Free-will, of Purgatory, & of pouertie; all which he saith are respectiuely pestiferous, pernicious, scandalous, offensiue to pious eares, contrarie to charitie, contrarie to the reuerence which is due to the Church of *Rome*, contrarie to obedience, which is the sinew of Ecclesiasticall discipline: wherefore being willing to proceede to sentence, he, with the Cardinals, generals of the regular orders, with other Diuines and Doctours, both of the one and the other law, hath made diligent examination of them. Therefore hee condemneth and reiecteth them, respectiuely, as hereticall, scandalous, false, offensiue to pious eares, deceitfull to godly minds, and contrary to the Catholike trueth: Hee prohibiteth vpon paine of excommunication, and infinite punishments, that no man should dare to keepe them, defend them, preach them, or fauour them. And because the same assertions are found in the bookes of *Martin*, therefore he condemneth them, commanding vnder the same paines, that none may reade or keepe them, but that they ought to be burned, as well those which doe containe the foresaide propositions, as all the rest. Concerning the person of *Martin* himselfe, he saith, he hath many times admonished, cited, and called him, with promise of safe conduct, and prouision for his iourney; that, if hee had come, hee would not haue found so many errours in the Court as hee saide, and that himselfe the Pope would haue taught him, that the Popes his predecessors haue neuer erred in their constitutions. But because hee hath endured the censures for the space of a whole yeere, and hath dared to appeale vnto a future Councell, a thing prohibited by *Pius*, and *Iulius* the second, vnder the punishments due to heretikes, hee could proceed to condemnation without any more adoe; notwithstanding, forgetting these iniuries, hee admonisheth the said *Martin*, and his protectors, to change their opinions, cease to preach, and in the terme of 60. dayes, vpon the same paines, to reuoke all the foresaid errors, and burne the bookes; which in case they doe not, hee declareth them notorious and obstinate heretiques. After hee commandeth all vnder the same paines, that they

1520

LEO 10. CHARLES 5. HENRY 8. FRANCIS 1.

The Pope condemneth 42. articles of *Luthers* doctrine

Luthers bookes are condemned to the fire.

The Pope giueth an admonition to *Luther* and his followers.

1520 Leg 10. Charles 5. Henry 8. Francis 1.

they keepe not any booke of the same *Martin*, though it conteine not the like errours. Then ordaineth that all men ought to shunne as well him as his fauourers; yea, commandeth euery one to apprehend them, and bring them personally before him, or at least chase them out of their Lands and Countreys: he interdicteth all places whither they shall goe: commandeth that they be euery where made knowen, and that his Bull ought to be read in euery place, excommunicating whosoeuer shall hinder the publication thereof: he determineth that the exemplifications ought to be beleeued, and ordereth that his Bull be published in *Rome*, *Brandeburg*, *Misna*, and *Mansperg*.

The Popes admonition causeth *Luther* to make a solemne Appeale.

Martin Luther receiuing newes of the condemnation of his doctrine and bookes, set foorth a writing, repeating the Appeale made to the Councell; and making replication thereof for the same causes. Furthermore, for that the Pope had proceeded against a man not called, nor conuinced, nor the controuersie of the doctrine heard, preferring his owne opinions to the word of God, and leauing no place for the Councell, he offereth to demonstrate all these things, praying the Emperour and all Magistrates to accept this his Appeale, for defence of the authority of the Councell, thinking that this decree of the Pope bindeth not any, till the cause be lawfully discussed in a Synod.

The Bull of *Leo* censured.

But men of vnderstanding seeing the Bull of *Leo*, marueiled at it for many causes. First, concerning the forme, that the Pope should proceede to a declaration with clauses of the palace in a matter which ought to be handled with the words of the holy Scripture; and especially vsing periods so intricate, and so long and prolixe, that it was scarcely possible to draw any sense from them, as if he had been to giue sentence in a feodatary cause. And it was particularly noted, that one clause which saith, *Inhibentes omnibus ne præfatos errores asserere præsumant*, is so drawen out in length, with so many inlargements and restrictions, that betweene *Inhibentes* and *Præsumant*, there are placed more then foure hundred words.

Others, passing on a little further, considered that, to haue proposed and condemned as hereticall, scandalous, false, offensiue to pious eares, and deceitfull to simple minds, 42. propositions, without declaring which of them were hereticall, which scandalous, which false, but onely with a word (respectiuely) attributing to euery one of them an vncertaine qualitie, caused a greater doubt then was before; which was not to define the cause but to make it more controuersed, and to shew more plainely, that another authority and wisedome was necessary to determine it.

Some also were filled with admiration, for that it was said, that amongst the 42. propositions there were errours of the Grecians condemned long agoe. Others thought it a strange thing, that so many propositions in diuers points of faith, should bee decided in *Rome*, by the aduice of the Courtiers onely, without participating them to other Bishops, Academies, and learned persons of *Europe*.

The Popes Bull and the Decretals burned in *Wittenberg*.

But the Vniuersities of *Louain* and *Collen*, being pleased that there was a colour giuen to their sentence by the Popes Edict, publikely burned the bookes of *Luther*. Which gaue cause that he also in *Wittenberg*, (all that Schoole being assembled) iudicially and publiquely made to be burned, not onely the Bull of *Leo*, but together also the Popes Decretals; and after gaue an account

to

to the world of that action in a long manifest, published in writing, noting the Papacie of tyrannie in the Church, peruerseneſſe of Chriſtian doctrine, and vſurpation of the power of lawfull magiſtrates. 1521 LEO 10 CHARLE. 5. HENRY 8. FRANCIS 1.

But aſwell for *Luthers* appeale, as for theſe and other conſiderations, euery one became of opinion that a lawfull Counceil was neceſſarie; by which, not onely the controuerſies might bee decided, but the abuſes alſo, long ſince brought into the Church, might bee redreſſed; and alwayes the neceſſitie heereof appeared the more, by how much the more the contentions increaſed, writings being ſet foorth continually both by the one part and the other. For *Martin* failed not to confirme his doctrine by diuers writings, and, accordingly as he ſtudied, hee diſcouered more light, euer paſſing ſome ſtep further forward, and finding articles, of which in the beginning hee had not thought: Which he ſaid he did for the zeale of the houſe of God. But hee was conſtrained alſo by neceſſitie. For the Romaniſts hauing laboured effectually in *Collen* with the Elector of *Saxonie*, by the mediation of *Hierom Aleander*, that hee would deliuer *Martin* priſoner to the Pope, or by ſome other meanes procure his death; heeſaw that hee was obliged to ſhew vnto that Prince, and to the people of Saxonie, and euery one elſe, that he had reaſon on his ſide, that neither hee, nor any other Potentate, might yeelde to the earneſt intreaties of the Romaniſts, made againſt his life. A Councell was thought to be neceſſarie for two cauſes.

The yeere 1520. being thus paſſed, the diet of *Wormes*, of the yeere 1521. was celebrated in *Germanie*; to which *Luther* was called to render an account of his doctrine, and had giuen vnto him a ſafe conduct by the Emperour Charles, elected two yeeres before. Hee was counſelled not to goe thither, ſeeing that the ſentence of his condemnation made by *Leo* was publiſhed before, and hanged vp; whereby he might aſſure himſelfe to bring backe nothing but a confirmation of his doome, if peraduenture no worſe thing happened vnto him. Notwithſtanding himſelfe thought the contrary, againſt the opinion of all his friends, and ſaid that, though he were ſure to haue to doe againſt as many deuils as there were tiles in the roofes of the houſes of that citie, he would goe thither. 1521. *Luther* called to the Diet.

And in that place the ſeuenteenth of Aprill, hee was demanded by the Emperour and the whole aſſemblie of the Princes if hee were Author of the Bookes which went abroad vnder his name, the Titles whereof were recited, and the copies, placed in the midſt of the roome where they ſate, were ſhewed vnto him; and whether he would defend whatſoeuer was contained in them, or retract ſomething. His anſwer was that, concerning the books, he acknowledged them to be his; but to reſolue whether to maintaine the things cõtained in them or not, was a matter of great moment, & therfore required ſome time of deliberation. There was granted him time that day, to giue his anſwere the next: Which being come, *Martin*, brought into the aſſembly, made a long oration. Firſt, he excuſed his ſimplicitie, if, bred after a priuate & ſimple maner, he had not vſed termes according to the dignitie of that place, and giuen to euery one conuenient titles; then he confirmed that he acknowledged the bookes for his owne. And concerning the defence of them, he ſaid they were not all of one ſort, but ſome contained doctrine of faith and Pietie, others reprehended the doctrine of the Romaniſts, and a third kinde was of thoſe which *Luther* interrogated in the Diet. Anſwereth

1521 Leo 10. Charles 5. Henry 8. Francis 1.

were written contentiously, against the defenders of the contrarie doctrine. For the first, he said he were no Christian or honest man if he should retract them; the rather, because though all were condemned, yet all were not iudged naught by the same Bull of *Leo*. For the second, that it was too manifest, that all the Countreys of Christendome were oppressed and groaned vnder the bondage. And therefore to retract the things already spoken would bee nothing else but to confirme that tyrannie. In the bookes of the third kind, he confessed hee was more bitter and vehement then hee ought, excusing himselfe that he made not profession of sanctitie, nor would maintaine his owne manners, but his doctrine onely; whereof hee was readie to giue an account to any man whatsoeuer, promising not to be obstinate, but to cast his bookes into the fire himselfe, in case any errour were shewed him with the Scripture in hand. Hee turned himselfe to the Emperour, and the Princes, saying, it was a blessing of God when the true doctrine came to be made manifest, as to reiect it, was to draw vpon vs a cause of extreame calamities.

Luther refuseth to retract any thing.

His Oration being ended, hee was by order required by the Emperour to giue a plaine and simple answere, whether or no he would maintaine his writings. Whereunto he answered that hee could not reuoke any thing that hee had written or taught, if he were not conuinced by the words of the Scripture, or by euident reasons.

The Emperour hearing these things, resolued, following the steps of his predecessours, to maintaine the Church of *Rome*, and to vse all meanes to quench that fire. Howbeit hee would not violate the faith giuen, but proclaime a banishment against *Martin* after he was safely returned to his house.

A noble resolution of the Prince Elector Palatine.

Some of the assembly, approouing that which was done at *Constance*, said that the faith ought not to bee kept. But *Lewis* Count Elector Palatine opposed himselfe, as vnto a thing which would brand the German name with a marke of perpetuall ignominie, expressing with disdaine, that it was intolerable, that for the seruice of Priests, *Germanie* should draw vpon it selfe the infamie of not keeping the publique faith. Some there were also that said that there was no neede to proceede so fast to condemnation, because it was a matter of great moment, and which might produce great consequences.

Luther referreth himselfe to a generall Councell.

The dayes following there was a treatie in presence of some of the Princes, and in particular, of the Archbishop of *Triers*, and of *Ioachimus* Elector of *Brandenburg*, & many things were spokē by *Martin* in defence of that doctrine, and by others against it, being desirous to induce him to referre euery thing to the iudgement of the Emperor, and of the assembly, & of the Diet, without any condition whatsoeuer. But he answering that the Prophet forbade to put our confidence in men, yea euen in Princes, to whose iudgement, nothing ought lesse to bee committed then the word of God, it was at last proposed, that he would submit all to the iudgement of the future Councel; wherunto he agreed, with condition, that first the articles, which he intended to referre, might be drawen out of his bookes, and that sentence might not be giuen of them but according to the Scriptures. Last of all, being demanded what remedies he thought might be vsed in this cause? he answered, those onely which were proposed to the Iewes by *Gamaliel*, that is, that if the enterprize were of man it would vanish, but if it came frō God, it was impossible to hinder it; and

that

that this might giue ſatisfaction to the Pope, becauſe all men ought to reſt ſecure (as himſelfe did) that if his deſeigne came not from God, it would periſh in a ſhort time. From which things it being impoſſible to remoue him, and ſtanding firme in his reſolution, not to accept any iudgement but vnder the rule of the Scripuure, hee had leaue giuen him to depart, and a terme of 21. dayes aſſigned him to returne to his home, with condition that hee ſhould neither preach nor write any thing in his iourney. For which, after hee had giuen thankes, he departed the 26. of April.

1521
LEO 10. CHARLES 5.
HENRY 8. FRANCIS 1.

Afterwards *Charles* the Emperour publiſhed an Edict in the ſame Diet at *Wormes*, the 8. of Aprill. In which, hauing firſt declared, that it belonged to the duetie of the Emperour to aduance Religion, and to extinguiſh hereſies, which began to ſpring vp, hee proceeded on to ſhew that Friar *Martin Luther* endeuoured to ſtaine *Germanie* with that contagion; ſo that, if hee were not hindered, all that nation would fall into an horrible ruine; that Pope *Leo* had fatherly admoniſhed him, and, after that, the aſſembly of Cardinals, and other excellent men, had condemned his writings, and declared him an Heretique, if within a certaine terme hee reuoked not his errours, and had ſent by *Ieroiamo Aleandro*, his Nuncio, a copie of that Bull of condemnation to him the Emperour, as protectour of the Church, deſiring him it might be put in execution in the Empire, his Kingdomes, Dominions and Prouinces; that notwithſtanding this, *Martin* amended not himſelf, yea multiplied his Books daily, ful, not only of new hereſies, but euen of thoſe which haue been long ſince condemned by holy Councels, and not onely in the Latine tongue, but in the German alſo, naming in particular many of his errours; hee concluded that there was no writing of his where there was not to bee found ſome contagion or deadly ſting, ſo that it might be ſaid, that euery word was a poiſon; that theſe things being conſidered by him the Emperour, and his Counſellours of all nations ſubiect vnto him, treading in the ſteps of the Romane Emperours his predeceſſours, hauing conferred, in that Diet of *Wormes*, with the Electors, and men of other States of the Empire, by their counſell and aſſent, (though it was not fit to heare a man condemned by the Pope, obſtinate in his peruerſeneſſe, and a notorious Heretique, notwithſtanding, to take away all occaſion of cauill, many ſaying it was neceſſary to heare the man before the Popes decree were executed) hee reſolved to ſend to fetch him by one of his Heraulds, not to knowe and iudge the things that concerne faith, which belongeth to the Pope alone, but to bring him into the right way with good perſwaſions. Then he ſheweth how *Martin* was brought into the publique aſſembly, and whereof he was interrogated, and what he anſwered, as it hath bin declared before, and how he had leaue giuen him, and departed.

The Emperours Edict against *Luther*

Afterwards he goeth on, concluding that therefore for the honour of God, and reuerence of the Pope, and for the duety of the imperiall dignitie, by the counſell and aſſent of the Princes, Electors, and States, executing the ſentence and condemnation of the Pope, he declareth that he holdeth *Martin Luther* for a notorious Heretique, and determineth that hee ought to be ſo held of all men, prohibiting euery one to receiue or defend him in any ſort, commanding both Princes and States, vnder all the penalties, to apprehend and take him after the terme of twenty dayes, and alſo to proſecute all

1521
LEO 10. CHARLES 5.
HENRY 8. FRANCIS 1.

his complices, adherents, and fauourers, ſpoyling them of all their goods mooueable and immooueable. Hee commandeth alſo that no man ſhould reade or keepe his books, notwithſtanding that ſome thing be good in them, giuing order as well to Princes, as others that adminiſter Iuſtice, that they burne and deſtroy them. And becauſe books extracted out of his workes are compoſed and printed in ſome places, and pictures and images ſpread abroad to the diſgrace of many, yea, euen of the Pope himſelfe, hee commandeth that none ſhould print, paint, or keepe any of them, but that they be taken and burned by the Magiſtrates, and the Printers, buyers and ſellers puniſhed, adding a generall law, that no writing may bee printed where any point of faith is handled, though the leaſt of all, without conſent of the Ordinary.

The Vniuerſity of *Paris* condemned the writings of *Luther*.

In this ſelfe ſame time alſo the vniuerſitie of *Paris*, drawing diuers concluſions from the bookes of *Luther*, condemned them, partly as renewed out of the doctrine of *Wigleffe* and *Huſſe*, and partly as newly deliuered by him againſt the Catholique doctrine. But all theſe opoſitions effected nothing elſe, but that, *Luther* anſwering, bookes were multiplied both of the one ſide and the other, and the contentions waxed more ſharpe, and the curioſitie of many was ſtirred vp, who, willing to informe themſelues of the ſtate of the controuerſie, came to note the errours reprehended, and ſo withdrew their deuotion from the Pope.

Henry the 8. King of *England* writeth againſt *Luther*

Amongſt the moſt famous contradictors, which the doctrine of *Luther* found, was *Henry* 8. King of *England*, who not being borne the Kings eldeſt ſonne, had been deſtinated by his father to be Archbiſhop of *Canterbury*, and therefore in his youth was made to ſtudie: But the eldeſt being dead, and after him the father alſo, hee ſucceeded in the kingdome; and eſteeming it a great honour to imploy himſelfe in ſo famous a controuerſie of learning, he wrot a booke of the ſeuen Sacraments, defending alſo the Popedome, and oppugning the doctrine of *Luther*; a thing ſo gratefull to the Pope, that hauing receiued the Kings booke, hee honoured him with the vſuall title of *Defender of the Faith*. But *Martin* ſuffered not himſelfe to be ſcarred with that moſt illuſtrious glittering name of a King, but anſwered his Maieſtie with as much acrimonie, vehemencie, and as ſmall reſpect, as hee had anſwered the pettie Doctors. This kingly title being entred into the controuerſie, made men more curious, and, as it happeneth in combats, that the lookers on are alwayes ready to fauour the weaker, and to extoll his actions, though they bee but meane, ſo heere it ſtirred vp a generall inclination towards *Luther*.

Gaineth the Title of Defender of the Faith.

The B. of *Conſtance* wrot to *Zuric* againſt *Zuinglius*.

So ſoone as the Emperours decree of baniſhment was publiſhed throughout, the ſame moneth *Hugo* Biſhop of *Conſtance*, in whoſe Dioceſſe is the Citie of *Zuric*, wrot to the Colledge of the Canons of that place, of which number *Zuinglius* was one, and another letter to the Senate of the ſame Citie. In thoſe Letters he put them in minde of the dammage which the Churches, and Common-wealths alſo endured by innouation of doctrine, with much detriment to ſpirituall well-fare, and confuſion of publique quiet and tranquilitie. Hee exhorted them to beware of new Doctours, ſhewing that they are mooued onely by their owne ambition, and inſtigation of the deuill. He ſent therewithall the Decree of *Leo*, and the baniſhment publiſhed by the Emperour,

Emperour, exhorting them to receiue and obey both the one and the other, and particularly noted the perſon and doctrine of *Zuinglius* and his adherents, which conſtrained him to giue an account of whatſoeuer he had taught his Collegues, and to ſatisfie the Senate. Hee wrot alſo to the Biſhop, inſiſting principally vpon this, that concubinarie Prieſts were not any more to bee tolerated, from whom ſprang infamie to the Clergie, and bad example to the people, and generally corruption of manners in all; a thing which could not be taken away, but by bringing in of marriage, according to the Apoſtles doctrine. Hee wrot alſo to all the Cantons of the *Suiſſes* in his owne defence, making particular mention of an Edict made by the Magiſtrates their predeceſſors, that euery Prieſt ſhould bee bound to haue his proper Concubine, that he might not enſnare the chaſtitie of honeſt women; adding, that though it ſeemed a ridiculous decree, yet it was neceſſarily to be made, nor could be changed, vnleſſe that as much as was conſtituted in fauour of keeping Concubines, were at that preſent conuerted vnto lawfull matrimony.

1521
LEO 10.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The ſtirring of the Biſhop induced the Dominicans to preach againſt the doctrine of *Zuinglius*, and him to defend himſelfe. Wherefore he wrot & publiſhed 67. concluſions, which conteined his doctrine, and touched the abuſes of the Clergie, and of the Prelats. Wherupon much confuſion and diſſention ariſing, the Senate of *Zuric* began to conſult how to appeaſe the tumults, and called together all the preachers and doctors of their iuriſdiction. They inuited alſo the Biſhop of *Conſtance* to ſend ſome man of wiſedome and learning, to aſſiſt at that conference, to the end they might pacifie the troubles, and order ſome thing which might bee for the glory of God. The Biſhop ſent his Vicar, *Iames Faber*, who afterward was Biſhop of *Vienna*; and the day appointed for the meeting being come, and a great multitude aſſembled together, *Zuinglius* reproduced his concluſions, offered to defend them, and to anſwer to whoſoeuer would contradict them. After many things were ſpoken by diuers Dominican Friars, and other doctors againſt *Zuinglius*, & by him anſwered, *Faber* ſaid, that that time and place were not fit to treate of ſuch a matter, & that the diſcuſſing of ſuch propoſitions belonged to the Councel, which would be called very ſoon; for he ſaid, the Pope had ſo agreed with the Princes, and greater Magiſtrates, and Prelates of Chriſtendome. Which gaue ſubiect to *Zuinglius* to fortifie himſelfe, ſaying, that theſe promiſes were made to feede the people with vaine hopes, and in the meane ſpace to lull them aſleepe in ignorance; that the things which were certaine and cleere in the holy Scripture, and in the vſe of the Primitiue Church, might very well be handled at that time, though they expected a more exact declaration from the Councell, of the points that were doubtfull; and alwayes vrging him to ſay what he could, againſt his concluſions, *Faber* told him that hee would not treate with him in words, but would anſwere his concluſions in writing. Finally, the aſſembly ended with a Decree of the Senate, that the Goſpel ſhould bee preached according to the doctrine of the old and new Teſtament, not according to any humane decree or conſtitution.

The Dominicans preach againſt *Zuinglius*, whereby he is ſtirred vp the more.

Faber ſent by the Biſhop of *Conſtance* to aſſiſt in compoſing the controuerſies.

Who will not anſwere in words, but in writing.

The Decree of the Senate of *Zuric*.

It being therefore perceiued, that the labours of the doctors and Prelates of the Church of *Rome*, and the Popes decree, who proceeded to an abſolute condemnation, and the Emperours *Bando* ſo ſeuere, not onely could

1521 LEO 10. CHARLES 5. HENRY 8. FRANCIS 1.

not extinguish the new doctrine, but that notwithstanding it made euery day a greater progresse, euery one beganne to thinke that these medicines were not proper for such a maladie, and that in conclusion it was necessary to come to such a kinde of remedie, which, being vsed in times past in the like occasions, seemed had appeased all troubles, which was the celebration of a Councell. Wherfore this was desired by all sorts of men as a wholesome and the onely remedie.

A generall Councell was thought to be necessary.

It came to be considered, that these nouelties had not had any other beginning but from the abuses which time brought in, and from the negligence of the Pastors; and therefore that it was impossible to remedie the confusions sprung vp, but by remedying the abuses which caused them; and that there was no other way to prouide against them, with concord and vniformity, but by an vniuersall Congregation. And this was the discourse of godly and well disposed men. Notwithstanding there wanted not diuers sorts of persons, who thought the Councell would bee profitable for their ends, and desired it should be regulated with such conditions, that it could not bee but in their fauour, and not contrary to their interests. First, those that had imbraced *Luthers* opinions desired the Councell, with condition that therein all might be decided and gouerned by the Scripture, all the Pope his constitutions and schoole-learning being excluded: For so they assured themselues, not onely to defend their owne doctrine, but also that onely theirs should be approued. But a Councell that should proceed, as the vse was 800. yeeres before, they would not, and would bee vnderstood that they referred not themselues to that censure. And *Martin* was vsed to say, that in *Wormes* hee was too faint hearted, and that he was so well assured of his doctrine, that, it being diuine, hee would not submit it so much as to the iudgement of Angels; yea, that with it he was to iudge all, both men and Angels. The Princes and other gouernors of the Countreys regarded not much what the Councell might determine concerning doctrines, but desired it might bee such a one as might reduce the Priests and Friars to their beginning, hoping that, by that meanes the regalities, and temporall iurisdictions would returne vnto them, which, in such abundance and plenty, were passed into the Ecclesiasticall order. And therefore they said, that it was in vaine to call a Councell, where the Bishops and other Prelates onely should haue a deliberatiue voice; because they ought to be reformed, and it was necessary that others should haue the charge thereof, who could not be deceiued by their proper interests, nor constrained to resolue against the common good of Christendome. The meaner sort, though they had not much knowledge of the affaires of this world, desired that the Ecclesiasticall authoritie might bee moderated, and the poore people not burdened with so many exactions, vnder pretence of Tithes, Almes, and Indulgences, nor oppressed by the Bishops Officials, vnder colour of corrections, and sentences. The Court of *Rome*, the most principal part, desired the Councell, that it might restore obedience to the Pope, which was taken from him, & approued such a one as might be gouerned according to the formes vsed in the last ages. But that it should haue power to reforme the Papacie, and to take away those introductions, from which the Court receiued so many emoluments, and by which a great part of the gold of Chri-

Diuers sorts of persons desire the councel for diuers ends.

stendome

ſtendome was glued together in *Rome*, this pleaſed them not. *Leo* the Pope being, as it were, in a ſtrait betweene both the parties, knew not what to deſire. He ſaw that euery day his obedience was diminiſhed, and that vvhole countreys ſeparated themſelues from him, and deſired a Councell for remedy. But when he conſidered that it would bee worſe then the maladie, carying with it in conſequence a reformation, he abhorred it. Hee conſidered with himſelfe how to call a Councell in *Rome*, or ſome other place of the Churches dominion; as his predeceſſor and himſelfe had celebrated with ſingular fruit, the Councell of Lateran a few yeeres before, hauing by that meanes appeaſed the ſchiſme, reduced the kingdome of *France*, which was ſeparated, and, which was of no leſſe importance, aboliſhed the Pragmatical ſanction, doubly contrary to the monarchie of *Rome*; as well in regard it was an example to take from him the collation of benefices, a great foundation of the Pontificall greatneſſe, as alſo becauſe it was a preſeruation of the memorie of the Councell of *Baſil*, and by conſequence of the ſubiection of the Pope to a generall Synode. But afterwards he ſaw not how a Councell of that ſort could giue remedie to the diſeaſe, which was not in the Princes and great Prelates, with whom familiaritie and intereſts preuailed, but in the people, with whom it was neceſſarie to vſe realitie, and to make a true mutation. The caſe ſtanding thus, in the end of the yeere 1521. Pope *Leo* departed this life.

1522.

ADRIAN 6. CHARLES 5.

HENRY 8. FRANCIS 1.

Pope *Leo* knoweth not what to reſolue about the Councell.

What benefit the Lateran Councell brought to the Papacie.

The death of Pope *Leo*.

And in the beginning of the next yeere the ninth of Ianuarie *Adrian* was created. Which aſſumption to the Popedome being made of a man who was neuer ſeene in *Rome*, vnknowne to the Cardinals and the Court, and remained in *Spaine* (beſides the world holding an opinion that hee would not approue the manners of the Romans, nor the free life of the Courtiers) all mens thoughts were turned to conſider of it; ſo that *Luthers* innouations were no more thought of. Some doubted that hee was too much inclined to a reformation, others that he would call the Cardinalls vnto him, and ſo tranſport the Papacie out of *Italie*, as had happened at other times. But they were ſoone deliuered from this great feare. For the new Pope, the next day after he had receiued aduice of his election (which was the 22. of the ſame moneth in the citie of *Victoria* in *Biſcay*) not expecting the Legats ſent vnto him from the Colledge of Cardinals, to ſignifie it vnto him, and to haue his conſent, aſſembled thoſe few Prelates which hee could get, conſented to the Election, and hauing taken the habit and armes, declared himſelfe Pope, and went preſently to *Barcellona*; where he wrote to the Colledge of Cardinalls the cauſe why hee had taken vpon him the name and charge of the Pope, without expecting the Legates, committing alſo vnto them the publication of it throughout all *Italie*. He was inforced to tary at *Barcellona* a conuenient time, to paſſe the gulfe of *Lions*, which was very dangerous; yet he deferred no longer then needes muſt to imbarke for *Italie*; and arriued there in the end of Auguſt 1522.

Adrian is created Pope, and much feared.

1522.

Adrian found all *Italie* in commotion, by reaſon of the warre betweene the Emperour and the French King, and the Apoſtolicall Sea ouer head and eares in a particular warre with the Dukes of *Ferrara* and *Vrbin*, *Arimini* newly taken by the *Malateſti*, the Cardinalls diuided and not truſting one another, the Iſle of *Rhodes* aſſieged by the Turkes, the lands of the Church exhauſted,

The troubled ſtate of *Italie* at the arriuall of *Adrian*.

1522
ADRIAN 6.
CHARLES 5.
HENRY 8.
FRANCIS 1.

exhauſted and in extreame confuſion, during the anarchie of eight moneths. Notwithſtanding hee applied himſelfe principally to compoſe the diſcords in religion in *Germanie*. And being nouriſhed and brought vp from his childhood in the ſtudies of Shoole Diuinitie, he held thoſe opinions to be ſo cleere and euident, that he was perſwaded that no reaſonable man could thinke the contrarie. Wherefore hee gaue no other title to the doctrine of *Luther*, but vnſauowrie, fooliſh, and vnreaſonable, and thought that none, but ſome few fooles, could beleeue it, and that thoſe that followed *Martin* were men, who, in their conſcience, vndoubtedly maintained the opinions of the Church of *Rome*, and fained the contrarie, being prouoked by the burthens laid vpon them. His opinion therefore was, that it muſt needes bee an eaſie thing to extinguiſh that doctrine, which had none other foundation then matter of profit, and thought that, by giuing ſome ſmall ſatisfaction, the bodie would eaſily bee healed, which rather made ſhew to bee ſicke, then that it was ſo indeed. And becauſe he was borne in *Vtrect*, a citie of low *Germanie*, he hoped that all that nation would willingly hearken to his propoſes, and ingage themſelues to maintaine his authoritie, as being an *Alman*, and ſo ſincere in all his treaties, that he vſed neither Arts, nor ſecret ends. And being perſwaded that it imported much to vſe celeritie he reſolued to make his firſt propoſition in the Diet, which was prepared at *Noremberg*: which to the ende it might be gratefully heard, and his promiſes eſteemed reall, he thought it neceſſarie to giue a taſte, by beginning a reformation, before hee treated with them, remoouing the abuſes which cauſed the diſſention. To this ende hee called to *Rome*, *Iohn Peter Caraffa* Archbiſhop of *Chieti*, and *Marcellus Cazele* of *Gaeta*, men eſteemed for their honeſtie and vertues, and very skilfull in whatſoeuer belonged to Eccleſiaſticall diſcipline, that by the councell of them, and of the Cardinalls which he truſted, hee might finde ſome remedie againſt the corruptions which were of greateſt moment. In this number the prodigalitie vſed in giuing Indulgences firſt preſented it ſelfe vnto him; becauſe it gaue way to the reputation which the new Preachers in *Germanie* had gained.

Adrian was very learned in ſchoole Diuinitie. The Epithites he gaue to the doctrine of Luther.

Adrian borne in *Vtrect.*

He reſolueth to make a reformation before he maketh his firſt propoſition in the Diet of *Noremberg.*

The Pope, being a Deuine who had written in this matter long before *Luther* thought to handle it, meant to eſtabliſh by an Apoſtolicall Decree, and as Pope, that doctrine which, being a priuate man, he had taught and written: That is, that an Indulgence being granted to one that ſhall doe ſuch a godly worke, the worke may be performed by ſome in ſuch perfection, that he may obtaine the Indulgence; but if it want ſomething of that exactneſſe, the worker obtaineth not all the Indulgence, but onely ſo much as anſwereth in proportion to the imperfect worke. The Pope thought that by this means hee ſhould not onely prouide againſt all ſcandall hereafter, but remedie alſo thoſe that were paſt; becauſe it being poſſible to qualifie with ſo good circumſtances euery little worke, that it may deſerue any great reward, *Luthers* obiection was anſwered, how by the offering of a penny ſo great a treaſure could bee gained; and ſeeing that by the defect of the worke he that gaineth not all, obtaineth notwithſtanding a proportionable part, the faithfull drew not themſelues backe from ſeeking Indulgences.

But Friar *Thomas* of *Gaeta*, Cardinall of S^t. *Siſtus*, a perfect Deuine, diſ-

ſwaded

1522
ADRIAN 6.
CHARLES 5.
HENRY 8.
FRANCIS 1.

swaded it, telling him, that this was to publish that trueth, which, for the safetie of soules, it was better to keepe secret amongst learned men, and that it was rather disputable then decided. Therefore, that himselfe also, who stedfastly beleeued it in his conscience, notwithstanding had so caried it in his writings, that none but the most learned men could draw it from his words: which doctrine being diuulged and authorised, there would be danger, that euen learned men would conclude, that the Popes grant profited nothing, but that all ought to be attributed to the qualitie of the worke; which would absolutely diminish mens hote desires to purchase Indulgences, and the esteeme of the Popes authoritie. The Cardinall added that, after hee had exactly studied this subiect, by the command of *Leo*, at the time when these contentions began in *Germanie*, and written a full tract thereof, being Legat in *Ausburg*, the next yeere he had occasion to examine and treat of it more diligently, speaking with many, and discussing the difficulties and motiues which troubled those Countreys: and in two conferences which hee had with *Luther* in that citie, hee disputed that matter at large, which hauing well digested, he doubted not but that he might say with asseueration, & without danger of errour, that there was no other way to giue remedie to the scandals past, present, and to come, then by bringing backe those things to their first beginning. That it is a cleare case, that, howsoeuer the Pope may free the faithfull from any punishment, by the meanes of Indulgences, yet to him that readeth the Decretals it plainely appeareth that an indulgence is an absolution from penance imposed in confession onely. Wherefore causing the disused penitentiarie Canons to be obserued againe, and imposing conuenient penance, euery one would euidently see the necessitie and vtilitie of Indulgences, and would earnestly seeke them, to free themselues from that great burthen of penance, and the golden age of the Primitiue Church would returne againe, in which the Prelates had absolute command ouer the faithfull, onely because they were held in continuall exercise with penance; whereas now, being become wanton, they would shake off from them the yoke of obedience. The people of *Germanie*, who, buried in idlenesse, giue eare to *Martin* for preaching Christian libertie, if they were curbed with penances, would thinke no more of this innouation, and the Apostolicall Sea might fauour therein whosoeuer would be thankefull to it in that behalfe.

Card. *Caietan* dissuadeth the Pope from making a Decree concerning Indulgences.

This opinion pleased the Pope, as grounded vpon authoritie, and whereunto he saw not what opposition could be made. He caused it to be proposed in the Penitentiarie Court, to find a meanes and forme how to put it in practise, first in *Rome*, and then in all Christendome. For this cause diuers assemblies were made by the deputies for the reformation, together with the Penitentiaries, to treat of the manner how to vse it. But so many difficulties did crosse it, that in conclusion *Lorenzo Pucio* a Florentine Cardinall of *Santi Quatro*, who was Datarie to Pope *Leo*, and (as hath beene said) a diligent minister to find out money, and was now chiefe Penitentiarie, related to the Pope, with a generall assent, that the proposition was thought impossible, and that, when proofe thereof should be made, in stead of curing the present diseases, farre greater would be stirred vp. That the Canonicall punishments were gone into disuse because they could no longer be supported, for want of the

Who was willing to imbrace his opinion.

But was dissuaded by *Lorenzo Puccio*.

ancient

1522 Adrian 6. Charles 5. Henry 8. Francis 1.

ancient zeale. Wherefore for him that would bring them backe, it was neceſſary he ſhould make the ſame zeale and charity in the Church to returne againe. That this preſent age was not like vnto thoſe that were paſt, in which all the Conſtitutions of the Church were receiued, without thinking any more of them; whereas now euery one will be a iudge, and examine the reaſons: Which, if it happen in things that bring with them no burden at all, or very little, how much more muſt it be expected in a thing that would bee moſt heauy. It was true, that the remedie was fitted for the diſeaſe, but that it was too ſtrong for the body that was ſicke, and in ſtead of curing, would kill it, and that in place of regaining *Germanie*, *Italy* would firſt bee loſt, and that eſtranged much more. The Cardinall added, mee thinkes I heare one ſay, as S. *Peter* did, Why doe they tempt God, laying vpon the Diſciples ſhoulders that, which neither we nor our fathers haue been able to beare. That his Holines ſhould remember that famous place of the gloſſe, alleaged by him in his fourth booke vpon the ſentences, that, concerning the value of Indulgences, the complaint is both old and doubtfull; That hee ſhould conſider the foure Opinions, all Catholique, and yet ſo different as that Gloſſe doth recite. Whereby it is manifeſt, that this matter in theſe times requireth ſilence rather then any further diſcuſſion.

Foure very different opinions about Indulgences, and all Catholique.

Theſe reaſons ſanke deepe into *Adrians* minde, and made him not know what to doe, and he was perplexed ſo much the more, becauſe hee found no leſſe difficultie in other things, which, in his ſecret purpoſe, he meaned to reforme. In the matter of diſpenſations for marriage, the taking away of many prohibitions againſt contracting matrimonie betweene certaine perſons, which ſeemed ſuperfluous, and hard to bee obſerued (whereunto hee was much inclined, and it would haue been a great eaſe to the people) was blamed by many, as a thing that weakened the ſinewes of diſcipline, and the continuing of them made the Lutherans ſay, that they were onely to get money. To reſtraine the diſpenſations to certaine qualities of perſons, was to giue new matter to the pretendants to alleadge that in ſpirituall things, and in whatſoeuer belonged to the miniſtery of CHRIST, there was no difference of perſons. To take away pecuniary expences for theſe things, that could not be, but by rebuying the Offices which *Leo* ſold, the buyers whereof were gainers by this. Which alſo hindred the aboliſhing of *Regreſſes*, *Acceſſes*, and *Coadiutories*, and other deuices vſed in the collation of Benefices, which had the appearance (if not rather the eſſence) of Simonie. To rebuy the Offices was impoſſible, in regard of the great charges which muſt bee made, and alwayes continued. And that which moſt troubled his mind was that when he was reſolued to take away ſome abuſe, there wanted not ſome who tooke vpon him to maintaine with colourable ſhew, that the thing was good or neceſſary. With theſe doubts the Pope was grieued vntill November, deſirous to make ſome notable prouiſion, to giue the world a taſte of his minde; who was reſolute to remedy all the abuſes, before he began to treat in *Germanie*.

The counſel of *Franciſcus Soderinus*.

At length *Franciſcus Soderinus* Cardinal of *Preneſte*, called Cardinal of *Volterra*, in whom he put moſt confidence (though afterward he was ſo far in his diſfauour that he caſt him into priſon) made him come to a reſolution. This

Cardinal,

Cardinal, moſt conuerſant in managing ciuill affaires, and imployed in the Papacies of *Alexander*, *Iulius*, and *Leo*, which were full of diuers and important accidents, in all his diſcourſes with the Pope caſt out words which might inſtruct him. He commended his goodneſſe, his ingenuitie and his minde inclined to the reformation of the Church, and the rooting out of hereſies: adding, notwithſtanding, that he could not haue praiſe by his good intention onely, not able to doe good by it ſelfe, vnleſſe he ioyned thereunto an exact choyce of fit meanes, and an execution managed with the greateſt circumſpection. But when he ſaw him conſtrained by the ſtraitneſſe of time to reſolue, he told him there was no hope to confound and roote out the Lutherans by correcting the manners of the Court, but rather that it would bee a meanes to augment their credit much more. For the people, who alwayes iudge by the euents, when they ſhall bee aſſured, by the following amendment, that the Popes gouerment was iuſtly reprehended, will perſwade themſelues likewiſe, that the other innouations propoſed haue good foundation, and the arch-heretiques, ſeeing they haue ouercome in one part, will not ceaſe to reprehend the reſt. That in all humane affaires it falleth out, that to receiue ſatisfation in ſome requeſts, giueth pretence to prepare more, and to thinke they are due. That reading the ſtories paſt of the times, when hereſies haue been raiſed againſt the authoritie of the Church of *Rome*, it will appeare, that all tooke pretence from the currupted manners of the Court. Neuertheleſſe, neuer any Pope thought fit to reforme them, but after admonitions and inſtructions vſed, to induce the Princes to protect the Church. That, whatſoeuer hath ſucceeded well heretofore, ought alwayes to bee obſerued and kept. That nothing did more ruine a gouernement, then to change the manner of ruling it. That to open new wayes not vſed, was to expoſe himſelfe to great dangers, and that it was moſt ſecure to tread in the ſteps of the holy Popes, who alwayes haue brought their enterpriſes to a proſperous end. That no man hath euer extinguiſhed hereſies by reformations, but by Cruſadòes, and by exciting Princes and people to roote them out. That he ſhould remember that *Innocentius* the third, did by ſuch meanes happily oppreſſe the *Albigenſes* of *Languedoc*, and the next Popes extinguiſhed in other places, and by no other means, the *Waldenſes*, *Picards*, poore people of *Lions*, *Arnaldiſts*, *Speroniſts*, and *Patauines*, ſo that now there remaineth no more of them but the name onely. That there would not want Princes in *Germanie*, who, in caſe the Pope would giue them leaue to ſeaze themſelues of the States of *Luthers* fauourers, would greedily embrace the condition; and that hee might cauſe many people to follow them, by granting Indulgences and Pardons to whoſoeuer would aſſiſt them. The Cardinall put him alſo in minde, that he ought not to thinke of the Germane ſtirres in Religion, as if there were no more imminent danger to the Apoſtolicall Sea; becauſe the warre of *Italy*, a thing of greater perill, hanged ouer their heads, whereunto hee ought principally to apply his mind: in managing wherof, if he wanted money, which is the ſinew of warre, hee might receiue ſome notorious affront; and that no reformation could bee made, that would not notably diminiſh the rents of the Church; which hauing foure fountaines, the one temporall, the rents of the Eccleſiaſticall ſtate, the other three ſpi-

1522
ADRIAN 6.
CHARLES 5.
HENRY 8.
FRANCIS 1.

rituall,

1522 ADRIAN 6. CHARLES 5. HENRY 8. FRANCIS 1.

rituall, Indulgences, diſpenſations, and collations of Benefices, none of them could bee ſtopped, but that one quarter of the reuenues would be cut off.

Adrian bewaileth the condition of Popes.

The Pope relating theſe diſcourſes to *William Encourt*, whom afterward he created Cardinall, and *Theodoric Hezius*, his familiar and truſtie friends, ſaid the condition of Popes was miſerable, ſeeing it was plaine that they could not doe good, though they deſired and endeuoured to doe it, and concluded that, before the iourney which hee was to make into *Germanie*, it was not poſſible to effect any one point of reformation, and that it was neceſſarie they ſhould be contented to beleeue his promiſes, which hee was reſolued to maintaine, though it were to deueſt himſelfe of all temporall dominion, and to be reduced to the life of the Apoſtles. Neuertheleſſe he gaue ſtraight commiſſion to both, of which one was Datarie, and the other Secretarie, that they ſhould be ſparing to grant Indulgences, diſpenſations, regreſſes, and coadiutories, vntill meanes were found to giue a rule for them by a law and perpetuall Conſtitution. Theſe things, hauing read them largely related in a Diarie of the Biſhop of *Fabriano*, where he noted all the remarkeable things which hee had ſeene and heard, I was willing briefly to repeate here, becauſe they may ſerue much to the vnderſtanding of thoſe things which ſhall be ſpoken of hereafter.

The Biſhop of *Fabriano* is ſent Nuncio to the Diet of *Noremberg*.

In the firſt Conſiſtorie of Nouember, by conſent of the Cardinalls, hee appointed *Franceſco Chiericato*, whom hee knew in *Spaine*, Biſhop of *Fabriano* (whom I named but a little before) for his Nuncio to the Diet of *Noremberg*, which was aſſembled in abſence of the Emperour, who, ſome few moneths before, was inforced to paſſe into *Spaine*, to appeaſe the tumults and ſeditions begunne in thoſe kingdomes. The Nuncio arriued at *Noremberg* at the end of the yeere, and preſented the Popes letters to the Electors, Princes, and Orators of cities, written generally to them all, vnder the date of the fiue and twentieth of Nouember; in which hee firſt complained that *Martin Luther*, hauing beene condemned by the ſentence of *Leo*, and the ſentence executed in *Wormes* by the Emperours Decree, publiſhed throughout all *Germanie*, hee perſeuered notwithſtanding in the ſame errours, continually publiſhing bookes full of hereſies, and that hee was fauoured not onely by the meaner ſort, but euen by the Nobles alſo; Adding that, though the Apoſtle foretold that hereſies were neceſſarie for exerciſe of the godly, yet that neceſſitie was tolerable in times conuenient, not in thoſe, in which Chriſtianitie being oppreſſed by the Turkiſh armes, all induſtrie ſhould be vſed to purge the diſeaſe within; that the dammage and danger, which it bringeth by it ſelfe alone, hindereth his indeuours againſt ſo great an enemie. Then hee exhorteth the Princes and people not to make ſhew of giuing any conſent to ſo great an abomination, by tollerating it any longer. He ſhewed them that it was a moſt ſhamefull thing to ſuffer themſelues to be led out of the way of their anceſtors, by a poore ſimple Friar, as if onely *Luther* were of vnderſtanding, and wiſe. He aduertiſeth them that, if *Luthers* followers haue denied obedience to the Eccleſiaſticall Lawes, much more will they eſteeme baſely of the ſecular; and if they haue vſurped the goods of the Church, much leſſe will they abſtaine from thoſe of the Laitie; and hauing dared to lay their hands vpon the Prieſts of God, they will not ſpare the houſes, wiues, and children of them.

The Popes letter to the Diet againſt *Luther*.

them. He exhorteth them, if they cannot reduce *Martin* and his followers into the right way by faire meanes, to proceed to sharpe and fierie remedies, to cut the dead members from the bodie, as anciently was done vnto *Dathan* and *Abiram*, to *Ananias* and *Saphira*, to *Iouinian* and *Vigilantius*; and finally as their predecessors did against *Iohn Husse*, and *Hierome* of *Praghe*, in the Councell of *Constance*, whose example, in case they cannot otherwise doe, they ought to imitate. In conclusion he referreth himselfe as well in this particular, as in other affaires, to the relation of *Francesco Chiericato* his Nuncio. Hee wrot letters also almost to all the Princes, with the very same conceits; and to the Elector of *Saxonie* he wrot in particular, that hee should consider what blemish it would be to his posteritie, to haue fauoured a frantike man, who put confusion into the world with impious and foolish inuentions, turning vpside downe the doctrine established by the blood of the Martyrs, labours of the holy Doctors, and armes of the most valiant Princes; that he should walke in the pathes of his ancestours, not suffering his eyes to bee dazeled by the furie of a pettie companion, to follow errours condemned by so many Councells. 1523 ADRIAN 6. CHARLES 5. HENRY 8. FRANCIS 1. The Popes letters to the Duke of *Saxonie*.

The Nuncio presented to the Diet, not onely the Popes Briefe, but his owne instructions also, by which he was inioyned to exhort the Princes, with seuen reasons, to oppose themselues against that pestilent doctrine of *Luther*. The first, because the worship of God, and charitie towards their neighbour mooued them thereunto. Secondly, the infamie of their nation. Thirdly, their owne honour, shewing themselues not to degenerate from their predecessours, who were present at the condemnation of *Iohn Husse* in *Constance*, and of the other heretiques, leading some of them to the fire, euen with their owne hands, and that they would not faile of their owne promise and constancie, the greater part of them hauing approoued the Emperours edict against *Luther*. Fourthly, that the iniurie should mooue them, which *Luther* hath done to their progenitors, publishing another faith then that which they beleeued, and concluding by consequence that they are all in hell. Fiftly, they ought to be mooued, by the marke which the Lutherans aime at, which is to weaken the secular power, after they haue annihilated the Ecclesiasticall, by a false pretence that it is vsurped against the Gospell; although they craftily make shew to preserue the secular, onely to deceiue them. Sixtly, that they should consider the dissentions and confusions raised in *Germanie* by that sect. And finally he desireth them to obserue that *Luther* treadeth in the same way that *Mahomet* did long agoe, permitting carnall inclinations to be satiated, though he seeme to doe it with more modestie, that he may the more powerfully deceiue them. And if any should say that hee was condemned in absence and without defence, and therefore that it were fit to heare him, the answere was, that it was a iust thing to heare him in that which concerneth the fact, that is, if hee haue preached, written, or not; but that in matter of faith, and of the Sacraments it was not conuenient: because that ought not to bee questioned, which hath beene once confirmed by generall Councells, and by the whole Church. Then the Pope giueth him commission to acknowledge ingemuously, that this confusion was caused by the sinnes of men, especially of the Priests and Prelates; confessing that some yeeres since 1523 The Nuncio perswadeth the Princes by seuen reasons to oppose *Luther*. The Pope confesseth the abuses of the Clergie, not exempting the Apostolike Sea.

1523 Adrian 6. Charles 5. Henry 8. Francis 1.

ſome abominations haue beene committed euen in that holy Sea, many abuſes in ſpirituall things, many tranſgreſſions of the commaundements, and laſtly, all things turned to the worſt, ſo that it may be ſaid, that the infirmitie is paſſed from the head to the members, from the Popes to the inferiour Prelates, in ſo much, that there hath beene none that hath done good, no not one. For the amendment of which euill, himſelfe is reſolued to imploy all his wits, and vſe all diligence that the Court of *Rome*, from whence peraduenture all this miſchiefe proceeded, ſhould be reformed firſt of all. Which he will the rather doe, becauſe he ſeeth that all the world doth earneſtly deſire it. Notwithſtanding that no man ought to meruaile, if hee ſhall ſee that all the abuſes be not ſo ſuddenly amended. For the diſeaſe being inueterated and multiplied, it is neceſſarie to proceed ſlowly in the cure, and to begin from things of greateſt weight, to auoide the confounding of all, by deſiring to doe all together. He gaue him commiſſion alſo to promiſe in his name the obſeruation of the Concordates, that he would informe himſelfe of the cauſes called into the *Rota*, to remaund them to the parties according vnto iuſtice. And laſtly, that he ſhould ſollicite the Princes and States in his name, to anſwere the letters, and to informe him of the meanes, by which hee might moſt commodiouſly reſiſt the Lutherans. Beſides the preſentation of the Popes briefe, and the information, the Nuncio propoſed that it was obſerued that almoſt euery where in *Germanie*, religious men forſooke the Cloiſters, and returned to the world, and that the Prieſts maried themſelues, to the great contempt and diſgrace of religion; and the greater part of them committed many exceſſes and enormities. Wherefore it was neceſſarie that ſome order were taken that theſe Sacrilegious marriages might bee diſſolued, the Authours ſeuerally puniſhed, and the Apoſtates reduced vnder the power of their ſuperiours.

The anſwere of the Diet.

The Diet anſwered the Nuncio in writing, that with reuerence they had read the Popes Briefe, and the inſtructions concerning *Luthers* ſect, and that they gaue thankes to God for his Holineſſe aſſumption to the Popedome, wiſhing him all happineſſe from aboue. And (when they had ſpoken what came into their minds about the concord betweene chriſtian Princes, and the warre againſt the Turkes) concerning the demand to execute the ſentence giuen againſt *Luther*, and the edict of *Wormes*, they anſwered that they were moſt readie to imploy all their power to roote out hereſies, but that they had omitted to execute the ſentence, and Edict, for moſt weightie and vrgent cauſes, in regard that the greater parte of the people was perſwaded by *Luthers* bookes that the Court of *Rome* had brought many grieuances vpon *Germanie*; ſo that if any thing had beene done for execution of the ſentence, the multitude would haue entered into ſuſpition that it was done to vpholde and maintaine the abuſes and impietie, and popular tumults would haue beene raiſed with danger of ciuill warres. Wherefore they ſaid, that in ſuch difficulties, more fitting remedies were neceſſarie; eſpecially himſelfe the Nuncio hauing confeſſed in the Popes name that theſe euils proceeded from the ſinnes of men, and promiſed a reformation of the Court of *Rome*: the abuſes whereof, if they were not amended, and the grieuances remoued, and ſome Articles reformed, it was impoſſible to make peace betweene

1523
ADRIAN 6.
CHARLES 5.
HENRY 8.
FRANCIS 1.

tweene the Eccleſiaſtiques and Seculars, and to extirpate the preſent tumults. And becauſe *Germanie* had conſented to the paiment of Annates, vpon condition they ſhould be ſpent in the warre againſt the Turkes, they being paid ſo many yeeres, and neuer conuerted to that vſe, they deſired the Pope, that from henceforth the Court of *Rome* might not bee troubled to exact them, but that they might be left to the Exchequer of the Empire for the expences of that warre. And whereas his Holineſſe demanded counſel of the meanes, by the which he might oppoſe himſelfe to ſo great inconueniences, they anſwered, that, if the treaty were not of *Luther* onely, but of rooting out altogether many errours, and vices which by long cuſtome, and for diuers reſpects, haue taken deepe roote, by ſome ignorantly, by others maliciouſly defended, they deemed no remedie more commodious, effectuall, and opportune, then if his Holines, by the Emperours conſent, would call a godly, free and Chriſtian Councell, ſo ſoone as it were poſſible, in ſome conuenient place in *Germanie*; that is, in *Argentine*, in *Mentz*, *Collen*, or *Metz*, not deferring the conuocation thereof aboue a yeere; granting power to euery one, as well Eccleſiaſtical as Secular, to ſpeake and giue counſell for the glory of God, and ſaluation of ſoules, any oath or obligation to the contrary notwithſtanding. Which, they thinking that his Holineſſe ought ſpeedily to execute, and being deſirous to make, for the interim, the beſt prouiſion they were able, they were reſolued to treat with the Elector of *Saxonie*, that the Lutherans ſhould neither write nor print any more, & that the preachers throughout all *Germanie* ſhould be ſilent in thoſe things that might cauſe popular tumult, & ſhould preach the holy Goſpel ſincerely and purely, according to the doctrine approued by the Church, not mouing diſputations, but reſeruing all controuerſies to the determination of the Councel. That the Biſhops ſhould depute godly and learned men to be ſuperintendents ouer the preachers, to informe & correct them; yet ſo, as that no ſuſpition might be giuen that it was done to hinder the truth of the Goſpel, that hereafter no new thing ſhould be printed before it were ſeen & allowed, by honeſt & learned men. Hoping by this means to prouide againſt the tumults, if his Holineſſe will take order againſt the grieuances, and ordaine a free and Chriſtian Councell; not doubting but that the tumults will ſo be quieted, and the greater part reduced to tranquillitie. For vndoubtedly all honeſt men would expect the determination of the Councell, when they ſaw that it was to bee celebrated quickly. Concerning married Prieſts, and religious men, who returned to the world, they thought it ſufficient if the Ordinaries did impoſe vpon them Canonicall puniſhments, becauſe the Ciuill Lawes had made no prouiſion againſt them: But in caſe they commit any wickedneſſe, that the Prince, or Magiſtrate, in whoſe Territorie they ſhall offend, ought to giue them their due chaſtiſement.

The Councell is demanded in the Diet to be held in ſome place of *Germanie*.

The *Nuncio* was not ſatisfied with this anſwere, and reſolued to replie. And firſt for the cauſe why the Popes ſentence, and the Emperours Edict againſt *Luther* were not executed, he ſaid, that the reaſon alleadged did not ſatisfie, which was, that they refrained to doe it, to auoid ſcandals. For it was not conuenient to tolerate an euill, that good may come thereby, and that they ought to eſteeme more the ſaluation of ſoules, then worldly tranquillitie. He added that *Luthers* followers ought not to be excuſed by the ſcandals

The replie of the Nuncio to the anſwere of the Diet.

1523 LEO 10. CHARLES 5. HENRY 8. FRANCIS 1.

and grieuances of the Court of *Rome*. For in caſe they were true, yet ought they not to forſake the Catholique vnitie, but rather ſupport whatſoeuer was amiſſe with all patience. Whereupon hee intreated them to execute the ſentence and Edict before the Diet ended. And if *Germany* were any way burthened by the Court of *Rome*, the Apoſtolicall Sea would bee ready to eaſe it. And if there were any differences betweene the Eccleſiaſtiques, and ſecular Princes, the Pope was willing to compoſe and extinguiſh them. Concerning the Annates, then he ſaid nothing, for that his Holineſſe would anſwere them in time conuenient. But to their demand of a Councell, he replied, that his hope was, that it would not diſpleaſe his Holineſſe, if they had demanded it in more fitting termes, and therefore beſought them to take away all thoſe words that might giue him any *vmbrage*. As thoſe, that the Councell might be called by the Emperours conſent; and thoſe other, that the Councel might be celebrated rather in one Citie then another. For if they were not taken away, it ſeemed they would binde his Holineſſe hands, a thing which could not produce any good effect. For the Preachers, he intreated them that the Popes decree might be obſerued, that thenceforward none might preach before his doctrine were examined by the Biſhop. For the Printers and diuulgers of Books, he replied that the anſwer no way pleaſed him; that they ought to execute the ſentence of the Pope and Emperour, to burne the bookes, and puniſh the diuulgers, earneſtly aduertiſing them that all conſiſted in this. And concerning bookes to be printed hereafter, that the late *Lateran* Counſell ought to be obſerued. But, for the married Prieſts, the anſwere would not haue diſpleaſed him, had it not had a ſting in the taile, while it was ſaid, that if they ſhall doe any wicked thing, they ſhall be puniſhed by the Princes or Magiſtrates. For this would be againſt the liberty of the Church, and the ſickle would be put into another mans field, and thoſe men would be cenſured by the world, who are reſerued vnto CHRIST. For Princes ſhould not preſume to beleeue that they were deuolued to their iuriſdiction by their apoſtaſie, nor that they could be puniſhed by them for their other offences, in regard, the caracter remaining in them, and the order, they are euer vnder the power of the Church; neither can Princes doe more then delate them to their Biſhops and ſuperiours, that may chaſtize them. In the end he deſired them to conſider more maturely vpon the foreſaid things, and to giue a better anſwere, more plaine, more ſound, and better conſulted of.

The replie of the Nuncio was not well taken by the Princes.

The replie of the Nuncio was not well taken in the Diet, and it was commonly ſpoken among thoſe Princes, that he had a meaſure of good and euill, onely by relation vnto the profite of the Court, and not to the neceſſities of *Germanie*; and that the conſeruation of the Catholike amitie, ought rather to incite to doe the good that is eaſie to be executed, then to ſupport the euill which is hard to bee indured. And yet the Nuncio deſired, that *Germanie* ſhould ſupport, with all patience, the oppreſſions laid vpon it by the Court of *Rome*, which was not willing to bend it ſelfe, though neuer ſo little, to do good, or rather to deſiſt from euill, but with promiſes only. They ſaid, his Holineſſe had too quicke a ſence, if hee would bee offended by ſo modeſt and ſo neceſſary a demand of a Councell. And after long diſcuſſion it was reſolued by common conſent, not to giue any other anſwere, but

The Diet reſolueth to giue no other anſwere.

to

to expect what the Pope would resolue vpon that which they had giuen already. 1523

ADRIAN 6. CHARLES 5. HENRY 8. FRANCIS 1.

Afterwards the secular Princes made a long complaint apart, of that which they pretended against the Court of *Rome*, and the whole Ecclesiasticall order; reducing it to an hundred heads, which therefore they called *Centum grauamina*. These they sent vnto the Pope (because the Nuncio, vnto whom they were imparted, went away before they were enlarged) with protestation that they neither would nor could endure them any longer, and that they were constrained by necessitie, and the iniquity of them, to seeke with all industry to free themselues from them, and by the most commodious wayes they could.

The hundred grieuances of the Princes of *Germanie*.

It would be long to expresse the whole contents. But in summe, they complained of the payment for dispensations and absolutions; of the money with was drawen from them by indulgences; of the suits in Law which were drawen to *Rome*; of the reseruation of Benefices, and the abuses of Commendaes, and Annates; of the exemption of the Eccleſiastiques in offences; of Excómunications & vnlawfull interdicts; of Lay causes drawen before the Ecclesiasticall Iudge by diuers pretences; of the great expences in consecrating Churches & Church-yards; of pecuniarie penance; of expences to haue the Sacraments & the buriall. All which were reduced to three principall heads; to enthrall the people, to rob them of their money, and to appropriate vnto themselues the iurisdiction of the secular Magistrate.

The Receſſe of the Diet.

The sixt of March the *Receſſe* was made with the precepts conteined in the answere to the Nuncio; and a little after euery thing was printed, as well the Popes Briefe, as also the instructions of the Nuncio, the answeres, and replies, with the hundred grieuances: and they were diuulged through *Germanie*, and passed from thence to other places, and euen vnto *Rome* also.

The Popes confession of the abuses of the Clergie was distasted in *Rome*.

Where the open confession of the Pope, that all the mischiefe proceeded from the Court of *Rome*, and from the Ecclesiasticall order, did not please; and generally it was not gratefull to the Prelates. For it seemed to be too ignominious, and might make them more odious to the world, and cause the people to despise them; yea, that it would make the Lutherans more bold and saucie. And it grieued them most of all, to see a gate opened, where necessarily the moderation of their profits, which they so much abhorred, would be brought in, or themselues conuinced of incorrigibilitie.

Reputation is the chiefest ground of the Pontificall greatnesse.

And those that excused the Pope most, did attribute it to his small knowledge of the Artes by which the Pontificall greatnesse, and the authority of the Court is maintained, which are founded vpon reputation. They commended the iudgement and wisedome of Pope *Leo*, who knew how to attribute the bad opinion which *Germanie* conceiued of the manners of the Court, to the want of knowing it. And therefore he said in the Bull against *Martin Luther*, that if he, after he was cited, had come to *Rome*, he would not haue found so many abuses in the Court, as was beleeued.

The Popes confession was ill expounded in *Germanie*.

But in *Germany* those that were ill affected to the Court of *Rome*, expounded that ingenuous confession in the worser sence, saying, it was an vsuall Arte to confesse the euill, and to promise the amendement thereof, without any thought to effect any thing, to lull asleepe those that are not wary, to enioy

1524
Clement 7.
Charles 5.
Henry 8.
Francis 1.

the benefit of time; and in the meane space, by treating with Princes, to iustifie themselues, in such sort, that they may the better make the people subiect vnto them, and take from them all power to oppose themselues against their wills, and to speake of their defects. And because the Pope sayd, that, in giuing the remedie, it was necessary not to striue to prouide against all at once, for feare of causing greater mischiefe; but to doe things step by step, they laughed at it; adding that it was well sayd, step by step, but so that there were a whole age betweene one and another. But, in regard of *Adrians* good life before his assumption to the Papacie, as well after hee was Bishop and Cardinall, as before, and the good intention which was shewed in all his actions, holy men expounded all in good sense, thinking verely that hee confessed the errors with ingenuitie, and that he would redresse them sooner then hee promised; neither did the euent make them iudge the contrary. For the Court being not worthy of such a Pope, it pleased God to call him, almost as soone as hee had receiued the relation of his Nuncio from *Noremberg*. For the 13. of September he ended the course of his yeeres.

Pope *Adrian* dieth.

But when the decree of the *Recesse* of *Noremberg* was published in *Germanie*, with the precepts concerning Sermons and Prints, the greater part esteemed not thereof; but those that were interested, as well followers of the Church of *Rome*, as *Lutherans*, expounded all in their owne fauour. For it being said that the things which might stirre vp popular tumults, should not be spoken of, the Catholiques vnderstood it, that the things brought in by *Luthers* doctrine, and the reproofe of the abuses of the Ecclesiasticall order should not be spoken of; and the *Lutherans* said, that the meaning of the Diet was, that the abuses, which stirred vp the people against the Preachers, when they heard as well bad things as good represented vnto them, should not be defended. And that part of the Decree, which commanded to preach the Gospel according to the doctrine of writers approoued by the Church, the Catholiques vnderstood, according to the doctrine of he Schoole-men, and the last poltillers of the Scriptures. But the *Lutherans* said it was to bee vnderstood of the holy Fathers, *Hilarie*, *Ambrose*, *Austin*, *Ierom*, and the like; expounding also that, by vertue of the Edict of the *Recesse*, it was lawfull for them to continue in teaching their doctrine vntill the Councel, and the Catholiques vnderstood that the meaning of the Diet was, that they should continue in the doctrine of the Church of *Rome*. Whereby it appeared, that the Edict, in stead of quenching the fire of Controuersies, enflamed it the more; and in the mindes of godly men there remained a desire of a free Councell, vnto which it seemed, that both the parties would submit themselues; hoping that by this they should be deliuered from so great mischiefe.

The Decree of the Recesse of *Noremberg* was expounded in contrarie sences according to mens contrarie interests.

Iulio de Medici, cousin to *Leo* the tenth, was created pope, and called *Clement* the seuenth. *Anno* 1524.

After the death of *Adrian*, *Iulio de Medicis*, cousin to Pope *Leo*, was created successor, and called *Clement* the seuenth; who suddenly applied himselfe to the affaires of *Germanie*. And, being skilfull in the knowledge of negotiations, hee saw clearely that Pope *Adrian*, contrary to the stile of wise Popes, was too facil, as in confessing the defects of the Court, so in promising the reformation; and too abiect in asking counsell of the Germans how prouision might be made against the contentions of that kingdome. For thereby

hee

hee drew vpon his backe the demaund of a Councell, which was of great importance, especially with condition to celebrate it in *Germanie*, and had giuen too much courage to the Princes, that they dared not onely to send, but to print also the hundred grieuances; a writing ignominious to the Ecclesiastiques of *Germanie*, but more to the Court of *Rome*. Hauing considered all things well, he resolued that it was necessarie to giue some satisfaction to the Dutch men; yet so, that his authoritie might not bee indangered, nor the commodities of the Court taken away. He considered that howsoeuer some of the 100. grieuances concerned the Court, yet the greater part touched the Bishops, Officials, Curates, and other Priests of *Germanie*. Therfore he hoped, that if the foresaid persons were reformed, the Germans would easily be induced to be silent for the present, in that which concerned *Rome*: and that with that reformation he should haue diuerted the treatie of the Councell. Therefore hee thought it conuenient suddenly to dispatch a Legate, a man of wisedome and authoritie, to the Diet, which was to be celebrated three moneths after in *Noremberg*, with instruction, to walke in the same way; and aboue all, to dissemble the knowledge of *Adrians* propositions, and of the answeres giuen vnto him, that hee might not receiue any preiudice in his Treatie, and might proceede, as if the matter were to begin.

1524
CLEMENT 7.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The Legate was *Lorenzo Campeggio*, Cardinall of *S. Anastasia*; who being come to the Diet, after hee had treated of diuers things, with diuers particular men, to set his negotiation in order, he spake also in publique, where hee said, that hee wondered that so many Princes, and so wise, could endure that religion, rites, and ceremonies, in which, they, their fathers and ancestors deceased, were borne and bred, should be extinguished and abolished, not considering that such innouation tended to the rebellion of the people against the magistrates. That the Pope not aiming at any interest of his owne, but hauing a fatherly compassion of *Germanie*, fallen into spirituall and temporall infirmities, and subiect to very great imminent dangers, had sent him to find a meanes to cure the disease. That it was not the intention of his Holinesse to prescribe any thing vnto them, much lesse that any thing should be prescribed vnto himselfe, but onely to consult of the fit remedies, concluding that, if the diligence of his Holinesse were refused, it would not afterwards bee reasonable to lay any fault vpon him.

Card. *Campeggio* is Legat to the Diet of *Noremberg*.

Hee was answered by the Princes (For the Emperour was in *Spaine*, as was saide before) after they had thanked the Pope for his good will, that they knew well the danger which hanged ouer their heads, by reason of the change of the doctrine of Religion; that therefore, in the Diet the yeere before, they had shewed vnto the Nuncio of Pope *Adrian*, a meanes and way to compose the differences, and had giuen him also in writing whatsoeuer they desired or sought from *Rome*; which writing they beleeued that *Adrian* had receiued, because the Nuncio promised to deliuer it, as also they thought that the grieuances, which *Germanie* receiued from the Clergie, were knowne vnto all, being published in Print, and that they expected, euen vntill that instant, that their iust desires should bee heard, and continued expecting still. Wherefore, if he had any order or instruction from

The answere of the Diet.

the

1524
CLEMENT 7.
CHARLES 5.
HENRY 8.
FRANCIS 1.

the Pope, they prayed him to declare it, that they might consult of the whole together with him.

The Legats reply.

To this the Legate replied, according to his commission, that he knew not that any instruction had bin brought to the Pope or Cardinals, concerning the meanes & way of composing the differences in religion. But he wel assured them of the Popes very good meaning, from whom he had most absolute power, to do whatsoeuer might serue for that end; but that it concerned them to shew the way, who knew the condition of the persons, and the customs of the country. That it was verywell knowne that *Cesar* in the Diet of *Wormes*, had published, by their consent, an Edict against the Lutherans, whereunto some had giuen obedience, and some not; of which diuersitie and varietie he knew not the reason: but it seemed good vnto him, that first of all they ought to deliberate of the meanes, how to put it in execution. That, although hee had not as yet vnderstood that the 100. grieuances had beene published to bee presented to the Pope, notwithstanding hee knew that three copies had beene brought to some priuate men in *Rome*, that himselfe had seene one of them, and that they were seene by the Pope and Cardinals, who could not perswade themselues that they were collected by any of the Princes, but thought they were set out by some malignant person in spite to the Court of *Rome*; that although he had neither order nor instruction from the Pope in that matter, yet they ought not to thinke that hee had not authoritie to treat thereof, as occasion serued. Hee said, that in those demaunds, there were many that derogated from the power of the Pope, and sauored of heresie: that of those hee could not treat, but offered to bee informed, and to speake of those which were not against the Pope, and had ground of equitie; that if any thing remained, to be treated of with his Holinesse, they might propose it, but in more moderate termes. That hee could not choose but finde fault that they were printed and published, because it seemed too much; yet that hee was certaine, that the Pope, being vniuersall Pastour, would doe any thing for the loue of *Germanie*: but if the voice of the Pastour were not heard, the Pope and himselfe must take it patiently, and referre euery thing to God.

Is suspected by the Diet.

The Diet, though they did not thinke it probable, that the Cardinall and Pope knew not the treaties with *Adrian*, and iudged, that in the Legates answeres there might be cunning, yet desiring that good deliberation might be taken for the quiet of their Country, they deputed some Princes to negotiate with the Cardinall, who could get nothing from him, but that hee would haue a good reformation made of the Clergie of *Germanie*; but for the abuses of the Court of *Rome*, it was not possible to make him yeeld to any thing. For when they began to discourse of them, either hee said that it was heresie to reprehend them, or that hee referred it to the Pope, and that it was necessarie to treat with him thereof.

And his reformation was not accepted.

The Cardinall made a reformation of *Germanie*, the which (touching only the inferiour Clergie, and being iudged that it would not onely cherish the euill, as light remedies alwayes doe, but that it would serue to inlarge the dominion of the Court, and greater Prelates, to the preiudice of temporall authoritie, and would make an entrance to greater extorsions of money) was

not

not receiued, it being esteemed but as a maske to delude *Germanie*, and to reduce it vnder greater tyrannie, though the Legate vsed all effectuall diligence that it might bee accepted. Wherefore hee would not consent to any of the propositions, made by the deputies of the Diet. By this it being plaine, that it was impossible to conclude any thing with him, they published the recesse the eighteenth of April, with a Decree, that by the Pope, with consent of the Emperour, a free Councell, in some conuenient place in *Germanie*, should be intimated, so soone as was possible; and that the states of the Empire should assemble themselues at *Spira* the eleuenth of Nouember, to determine what course should bee taken vntill the Councell were begun. That euery Prince should call together, in his owne state men, godly and learned, to collect the things that ought to bee disputed on in the Councell. That the magistrates should haue care that the Gospel should be preached according to the doctrine of the approoued writers of the Church, and all pictures and contumelious bookes against the Court of *Rome* should be prohibited.

1524 CLEMENT 7. CHARLES 5. HENRY 8. FRANCIS 1.

The Decree of the Diet.

The Legate hauing answered to euery point of the Decree, and shewed that it was not the office of Seculars, to deliberate of any thing concerning faith, and doctrine, or preaching thereof, he promised that he would giue the Pope an account concerning the Councell onely.

With which the Legat was not pleased.

The Princes being gone from the Diet, the Legate endeuoured to bring together those that most fauoured the affaires of *Rome*, to cause the reformation (which the Diet would not receiue) to be published; and there did meete him in *Ratisbon Ferdinand*, the Emperors brother, the Cardinall Archbishop of *Salzburg*, two Dukes of *Bauaria*, two Bishops, of *Trent* and *Ratisbon*, and the Agents of the nine Bishops. Where first they made a Decree vnder the date of the sixt of Iulie; that it hauing beene ordered in the assembly at *Noremberg*, that the Edict of *Wormes* against *Luther* should be put in execution, as farre as was possible, therefore they, at the instance of the Legate Cardinall *Campeggio*, did command that it should bee obserued in all their dominions and States. That the innouators should bee punished, according to the forme of the Edict. That nothing should be changed in the celebration of the Masse and Sacraments. That the Apostates, Munkes and Nunnes, and maried Priests, and those that receiued the Eucharist without confession, or did eate forbidden meates should be punished. And that all their subiects that were in the Vniuersitie of *Wittenberg* should depart from thence, within three moneths, and returne home, or goe to some other place. The day following, being the seuenth, the Cardinall published his constitutions of the reformation, which were approued by all the forenamed Princes, and it was commanded that they should be published, receiued, and obserued, throughout all their States and Dominions.

He laboureth to cause his reformation to be receiued.

And effecteth it.

In the proheme of the Constitutions the Cardinall said, that to reforme the life and manners of the Clergie being a thing of great moment for the rooting out of the Lutheran heresie, he had ordained these decrees, by the counsell of the Princes, and Prelats assembled with him, which he commanded to be obserued throughout all *Germanie*, by the Archbishops, Bishops, and other Prelates, Priests, and Regulars, and published in all the Cities and Churches. They contained seuen and thirty heads, concerning the apparell and conuersation

The reformation contained 37. heads. Pall. 3

1524
CLEMENT 7
CHARLES 5.
HENRY 8.
FRANCIS 1.

ſation of the Clergie, adminiſtring gratis the Sacraments, and other Eccleſiaſticall functions, Banquets, Fabriques of the Churches, thoſe that were to take orders, celebration of holy-dayes, faſtings, againſt Prieſts that were maried, againſt thoſe thot confeſſed not, nor communicated, againſt blaſphemers, ſorcerers, ſoothſayers, and other things like theſe. In concluſion, the celebration of Dioceſan Councels euery yeere was commanded for the obſeruation of theſe Statutes, giuing the Biſhops power to inuocate the ſecular arme againſt the tranſgreſſors.

Diuers Princes and Biſhops were offended with the acceptance of this reformation.

The Edict of the reformation being diuulged, the Princes and Biſhops, who in the Diet had not conſented to the Cardinals demand, were offended, as well with him, as with all thoſe that aſſembled in *Ratiſbon*, it ſeeming vnto them, that they were wronged by the Legat, for making a generall order for all *Germanie*, in a meeting of ſome few onely, and ſo much the rather, becauſe it was done after it was demonſtrated vnto him, that no good could come thereby. They thought themſelues iniured alſo by thoſe few Princes and Biſhops, who alone had taken vpon them to oblige all *Germanie*, contrary to the opinion of the reſt. It was oppoſed alſo againſt that reformation, that, leauing the things of importance, as if there had bin no diſorder in them, they made prouiſion in things of the ſmalleſt weight. For *Germanie* ſuffered but little inconuenience by the abuſes of the inferiour Clergie, but great by the vſurpation of the Biſhops and Prelates, and greateſt of all by thoſe of the Court of *Rome*. And yet there was no mention made of them, as if they were now in better order then in the Primitiue Church. Then concerning the inferiour Clergie, the principall abuſes were not treated of, but thoſe that were of leaſt conſequence, which was, as it were to approoue them; and thoſe alſo that were reprehended, were left without their true remedies, being onely noted without applying the medicine, neceſſary to cure the maladie.

Clement did euer thinke a Councel dangerous when the Popes authority was in queſtion.

But the Legat, and the forenamed Princes that met him, cared but little for what was ſaid in *Germanie*, and leſſe for what would follow the publication of the Edict. For their end was onely to ſatisfie the Pope, and the Popes end was onely to ſhew, that he had made prouiſion that there ſhould be no neede of a Councell. For *Clement*, a man skilfull in ſtate affaires, euen in *Adrians* time, alwayes maintained that it was pernicious counſell, in the occurrences of thoſe times, to vſe the meanes of Councells; and was wont to ſay, that a Councell was alwayes good when any thing elſe was treated of but the Popes authoritie, but, that being called into queſtion, that nothing was more dangerous. For as in former times, the Popes ſtrength conſiſted in hauing recourſe to Councells, ſo now the ſecuritie of the Popedome conſiſteth in declining and auoiding them; and the rather, becauſe *Leo* hauing condemned the doctrine of *Luther*, the ſame matter could not bee handled or examined in a Councell, without doubting of the authoritie of the Apoſtolicall Sea.

The Emperour was diſtaſted with the Decree of *Noremberg*.

The Emperour hauing receiued the Decree of *Noremberg*, was much mooued at it, thinking that to treat and giue ſo reſolute an anſwere to a ſtranger Prince, without his knowledge, in ſo important a matter, was but ſmall reputation to his Imperiall Maieſtie. Neither did the rigour of the Decree

pleaſe

pleaſe him, foreſeeing the Popes diſpleaſure, whom he deſired to keepe louing and well affected towards him, in regard of the warre which his Captaines then made with the French-men. Wherefore he wrot backe to the Princes in *Germanie*, complaining that, himſelfe hauing condemned all the bookes of *Luther*, the Diet reſtrained themſelues onely to thoſe that were contumelious. But hee reprehended them more ſeuerely, that they had decreed the celebration of a Counſell in *Germanie*, and deſired the Legate to treate thereof with the Pope, as if this did not more belong to the Pope and himſelfe, then vnto them; who, if they thought that a Councell would bee ſo commodious for *Germanie*, they ought to haue recourſe vnto him, to obtaine it of the Pope; howſoeuer he knowing alſo that this would bee profitable for that Countrey, was reſolute it ſhould bee celebrated, yet in time and place, when and where himſelfe could be perſonally preſent. But touching a new aſſembly at *Spira*, which they had ordained, to order their matters of religion vntil the time of the Councell, he ſayd that by no means he would yeeld vnto it: yea, he commanded they ſhould bee carefull to obey the Edict of *Wormes*, and that they handled no point of Religion, vntill a Councell were called by the Popes order and his. The Emperours letters, more imperious then *Germanie* was vſed to receiue from his predeceſſors, mooued very dangerous humors in the minds of many Princes, which floting vp and downe, might eaſily haue come to a troubleſome concluſion.

1525

CLEMENT 7
CHARLES 5
HENRY 8.
FRANCIS 1.

He writeth to the Princes.

And commandeth the execution of the Edict of *Wormes*.

But the mooving was ſoone ſtopped, and the yeere following 1525. had no negotiation in this matter. For the Bores in *Germanie* rebelled againſt the Princes, and Magiſtrates, and euery one was buſied with the warre of the Anabaptiſts, and in *Italy* in the beginning of the yeere ſucceeded the battell of *Pauia*, and the impriſonment of *Francis* the French King. Which ſo lifted vp the Emperours minde, that hee thought hee had all the world in his power: But afterwards the leagues of many Princes againſt him, which were treated of, and the negotiation of the Kings libertie, gaue him buſines enough. The Pope alſo, becauſe *Italy* was without defence, in the power of the Emperours Miniſters, thought of his owne caſe, and how he might be ioyned with others, who were able to defend him againſt the Emperour, from whom his minde was alienated, ſeeing hee was become ſo potent, that the Popedome remayned at his diſcretion.

1525

Francis the French King is taken priſoner in the battell at Pauia.

The Pope ſuſpecteth the greatneſſe of the Emperor.

In the yeere 1526, they returned to the ſame treatie in *Germanie* and *Italy*. In *Germanie*, all the orders of the Empire being aſſembled at the Diet in *Spira* in the end of Iune, it was conſulted of, by ſpeciall order from the Emperour, how Chriſtian Religion, and the ancient cuſtomes of the Church might be preſerued, and the tranſgreſſors puniſhed. The opinions being ſo various, that it was impoſſible to conclude any thing, thoſe that repreſented the Emperours perſon, cauſed the Imperiall letters to bee read: where *Charles* ſaid, that he was reſolued to paſſe into *Italy*, and to *Rome*, for the Crowne, and to treat with the Pope for the calling of a Councell. Wherefore hee commanded that nothing ſhould be ordained in the Diet contrary to the lawes, ceremonies, and ancient cuſtomes of the Church, but that the forme of the Edict of *Wormes* ſhould be obſerued, and that they ſhould patiently beare that ſmall delay, vntill hee had negotiated with the Pope the celebration of a Councell,

1526

The Diet of *Spira*.

The Emperor promiſeth to procure a Councel.

1526 Councell, which ſhould ſhortly be. For by treating of matters of Religion in a Diet, rather hurt ariſeth then good.

Clement 7. Charles 5. Henry 8. Francis 1.

The Cities, for the moſt part, anſwered, that their deſire was to gratifie and obey the Emperour, but that they ſaw not the meanes how to doe that which hee commanded in his letters, becauſe the controuerſies were increaſed, and did increaſe ſtill, particularly concerning the ceremonies, and rites: and if for the time paſt the Edict of *Wormes* could not bee obſerued, for feare of Sedition, the difficulty was then greater, as was declared to the Popes Legate. And if the Emperour were preſent, and informed of the ſtate of the buſineſſe, hee would bee of the ſame opinion. Concerning the promiſe of his Maieſtie, for the celebration of a Councell, euery one ſaid, hee might haue effected it when he wrot the letters, becauſe hee was then in amitie with the Pope; but afterwards there being diſtaſtes betwene them, and the Pope hauing taken armes againſt him, it appeared not how, things ſtanding thus, a Councell could be called. For theſe reſpects ſome propoſed that the Emperour ſhould be intreated to grant a nationall Councell in *Germanie*, to giue remedie to the dangers that were eminent. Which if it pleaſed him not, at leaſt (the better to withſtand the moſt grieuous ſeditions) that hee would be contented to deferre the execution of the Edict of *Wormes* vntill a generall Councell. But the Biſhops, who had no other ayme but the preſeruation of their owne authoritie, ſaid that no treatie ought to bee made in the cauſe of Religion, during the diſcords betweene the Emperour and the Pope, but that all ſhould be deferred vntill a better time.

Why the Edict of *Wormes* could not be executed.

A Nationall Councell in *Germanie* is deſired.

The opinions were ſo diuerſe, and ſuch diſcord, betweene the Eccleſiaſtiques, and thoſe that were inclined to *Luthers* doctrine, was ſtirred vp, that there appeared manifeſt danger of Ciuill warre, and many of the Princes put themſelues in order to depart. But *Ferdinand* and the other miniſters of the Emperour, ſeeing cleerely what danger would ariſe, if the Diet were diſſolued with ſuch diſſention of mindes, and the Princes departed without any Decree (becauſe they would haue proceeded diuerſly, with danger to haue diuided *Germanie*, without hope of reconciliation) they endeuoured to pacifie the chiefeſt, both of the one, and the other ſide; and in the end, they came to a reſolution, to make a Decree: which though it concluded not in ſubſtance according to the Emperours minde, yet it ſhewed ſome appearance of agreement betweene the States, and obedience towards his Maieſtie. The contents of it was; that, it being neceſſarie, for giuing of order and forme to the affaires of religion, and for the maintaining of libertie, to celebrate a lawfull Councell in *Germanie*, or an vniuerſall of all Chriſtendome, which may begin within the compaſſe of a yeere, Ambaſſadours ſhould bee ſent to the Emperour, to pray him, that he would caſt his eye vpon the miſerable and tumultuous ſtate of the Empire, and to returne into *Germanie*, ſo ſoone as might be, to prouide for it. That in the meane ſpace, while the one or the other Councell, neceſſarie for the buſineſſe of Religion and of the Edict of *Wormes*, be obtained, all the Princes and States ought to gouerne themſelues in their Prouinces and Iuriſdictions, that they may giue a good account of their actions to God and the Emperour.

The Princes did not agree in the Diet of *Spira*.

The decree of the Diet of *Spira*.

But in *Italie*, *Clement* hauing paſſed the yeere before, in griefe of mind and feares,

feares, thinking that sometimes hee saw *Charles* armed in *Rome*, to possesse himselfe of the Ecclesiasticall state, and to regaine the possession of the Roman Empire, vsurped by the Artes of his predecessours; sometimes set in a Councell to moderate the Popes authoritie in the Church, without which, hee well saw it was impossible to diminish the Temporall; and, aboue all, hauing conceiued a bad presage, that all the ministers sent into *France*, to treate with the Queene mother, and the State, were perished in the iourney, at last, in the end of March this yeere, hee tooke breath a little, vnderstanding that the King was set at libertie, and returned into France. Hee sent in diligence to congratulate with him, and to make a confederation against the Emperour. The which being ratified in *Cuguac* the two and twentieth of May betweene him, that King, and the Princes of *Italie*, vnder the name of the most holy League, and hauing absolued the King from the Oath taken in *Spaine*, for the obseruation of the things agreed vpon, now deliuered from feare, a passion which had much power ouer him, thinking he was in libertie, and being much prouoked that, not onely in *Rome* and *Naples*, Ordinances were published to the preiudice of the Court of *Rome*, but, which more grieued him, that in those dayes a Spanish Notarie dared to appeare publikely in the *Rota*, and command two Napolitans in *Cesars* name to desist from litigating in that Court, hee resolued to declare his minde, that hee might incourage the confederates; and the three and twentieth of Iune, he wrote vnto *Charles* a very long briefe, in manner of an inuectiue; where hauing repeated the benefits which hee had done him, as well being Cardinall, as after his assumption to the Popedome, and the great offers which hee had refused from other Princes, to stand firme in his friendship, seeing hee was ill requited, and that there was no correspondence, neither in good will, nor obseruation of promises, but on the contrary, much matter of suspicion was giuen him, and many offences committed by exciting new warres in *Italie*, and elsewhere (all which hee repeated in particular) laying the blame of all the mischiefes vpon the Emperour, shewing that the Papall dignitie was offended in all, and passing to another kinde of offences done vnto him, by publishing lawes in *Spaine*, and Pragmatiques in *Naples*, against the libertie of the Church, and the dignitie of the Apostolicall Sea, hee concluded in the end, not according to the vse of the Popes, by denouncing spirituall punishments, but protesting vnto him, that if hee will not leaue to doe wrong, ceasing to possesse *Italie*, and to trouble other parts of Christendome, hee will not be wanting to the Iustice and libertie of his Countrey, wherein standeth the protection of that holy Sea, but will mooue his iust and holy armes against him, not to offend him, but to defend the publique safetie, and his owne proper dignitie.

1526

CLEMENT 7. CHARLES 5.

HENRY 8. FRANCIS 1.

The Pope was distracted with feare of the Emperor, and of the Councell.

He maketh a confederation with the French King set at libertie.

Writeth a seuere Bricfe to *Charles*.

This dispatch being sent into *Spaine*, the next day he wrote and dispatched another briefe to the Emperour, without making mention of the first. Where he said in substance, that, for the maintaining of the libertie of *Italie*, and the prouiding against the dangers of the Sea of *Rome*, he had beene constrained to come to these deliberations, which could not bee omitted with out failing to performe the dutie of a good Pope, and a iust Prince. Wherein if his Maiestie will afford the remedie, which is easie, profitable, and glorious

And afterwards another more moderate then the former.

1526 CLEMENT 7. CHARLES 5. HENRY 8. FRANCIS 1.

for him to doe, hee ſhall thereby deliuer Chriſtendome from a great feare; whereof his Nuncio reſiding with him, ſhall giue him an account more at large. He prayed him, for Gods ſake, to heare him, and to prouide for the publike wel-fare, and to containe within the termes of iuſtice, the vnbridled, and iniurious deſires of his miniſters, that others may reſt ſecure of their goods and liues. Vnder theſe laſt words the Pope comprehended principally *Pompeius*, Cardinall *Colonna*, *Veſpaſianus*, and *Aſcanius*, with others of that familie, who followed the imperiall parte, and were aſſiſted by the Vice-roy of *Naples*: from whom hee daily receiued diuers oppoſitions to his endeuours. And, which made greater impreſſion in his mind, he feared alſo that they might bring the Papacie into ſtraights. For the forenamed Cardinall, a man bould and proud, contented not himſelfe to ſpeake of him publikely, as of one aſſumed to the Papacie by vnlawfull meanes, magnifying what the houſe of *Colonna* had done againſt other Popes, intruders (as hee named them) and vnlawfully choſen, but he added that it was fatall to that family to hate the tyrannicall Popes, and to them to bee reprehended by the vertue of it: and threatned him with a Councell, and treated with all the Emperors miniſters, to perſwade the Emperour to call it. Whereby the Pope being prouoked to anger, the better to preuent him, publiſhed a ſeuere Monitorie againſt that Cardinall, citing him to *Rome*, vnder the greateſt penalties and cenſures; in which alſo hee touched manifeſtly the Viceroy of *Naples*, and obliquely the Emperour. But the warre was not proſperouſly begunne in *Lombardie*, the armie of the French King, not appearing as yet; and the Chriſtian armie was diſcomfited at the ſame time in *Hungarie*, King *Lewis* dead, the number of thoſe who followed *Luthers* doctrine did ſtill increaſe, and all men required a Councell, which might make an vniuerſall peace amongſt Chriſtians, and giue an end to ſo great diſorders.

The Pope ſendeth a Monitorie againſt Card. *Colonna*.

And hauing changed his mind, maketh a long diſcourſe in Conſiſtorie.

The Pope for theſe cauſes, hauing firſt compoſed the differences with thoſe of the houſe of *Colonna*, and aboliſhed the Monitorie ſent out againſt the Cardinall, called a Conſiſtorie the thirteenth of September, in which hee comiſerated, in a long diſcourſe, the calamities of Chriſtendome, bewayled the death of the King of *Hungarie*, and attributed all misfortune to the anger of God, ſtirred vp by ſinne, confeſſing that all began from the deformation of the Clergie. Hee ſhewed how it was neceſſarie, for the appeaſing of it, to begin (for ſo hee ſaid) from the houſe of God, wherein hee would giue example in his owne perſon. He excuſed the rayſing of armes, and the Proceſſe againſt thoſe of the houſe of *Colonna*, exhorted the Cardinalls to amend their manners, ſaid hee would goe in perſon to all the Princes, to negotiate an vniuerſall Peace, reſolute rather to die, then to leaue this enterpriſe, vntill hee had brought it to effect, yet aſſuredly truſting in God to ſee the concluſion thereof. The which being obtained, hee reſolued to call a generall Councell, to extinguiſh the diuiſion in the Church, and to take away the hereſies. Hee exhorted the Cardinalls, euery one to thinke of, and propoſe vnto him all thoſe meanes, which they thought might ſerue for theſe two endes, that is, to bring in peace, and roote out hereſie. The Popes diſcourſe was publiſhed throughout *Rome* and *Italie*, and Copies thereof were ſent abroad by many; and though it was much helped by the commendation

The Popes diſcourſe was thought not to be ſincere.

mendation of his followers, yet few beleeued it to bee ſyncere. 1526

CLEMENT 7. CHARLES 5. HENRY 8. FRANCIS 1.

But in *Spaine* the two letters being preſented by the Popes Nuncio, to the Emperour, the one a day after the other, there was much ſurmiſing raiſed in the Counſell of that Prince. Some of them beleeued that *Clement*, repenting himſelfe of the bitterneſſe of the firſt, had wrot the ſecond for a medicine: wherefore they aduiſed that no notice ſhould bee taken thereof. And this opinion was increaſed by a report giuen out by the Nuncio, that by the ſecond hee had receiued order, that if the firſt were not deliuered, it ſhould not bee deliuered at all, but ſent backe againe, and the ſecond onely conſigned. The wiſer ſort ſaw well enough, that if the Pope had repented, hee might haue preuented the firſt Corrier, by cauſing the ſecond to make more haſte: moreouer, that it was not likely that ſo wiſe a Prince as hee, would reſolue to write ſo bitterly without great conſultation. Therefore they thought it was a kinde of cunning to make a proteſtation, and not to haue an anſwere. And it was reſolued that the Emperour ſhould imitate him, anſwering to the firſt with termes fitting ſeueritie, and a day after to the ſecond, according to the forme thereof.

Surmiſes in *Spaine* concerning the two Briefes of the Pope.

The Emperour maketh two anſweres.

And ſo it was done, and an apologeticall letter was written by the Emperour the ſeuenteenth of September, which in the originall conteined 22. ſheetes of royall paper, which *Mercurius Gattinara* preſented open to the Nuncio, and read it to him, and ſealed it in his preſence, and conſigned it, that hee might cauſe it to be deliuered to the Pope. In the beginning of the letter the Emperour ſhewed that the forme which the Pope held was diſproportionable to the duety of a true Paſtor, and not correſpondent to the filiall obedience which hee had performed towards the Apoſtolicall Sea, and his Holineſſe, who ſo prayſed his owne actions, and ſo condemned his, with titles of ambition and auarice, that he was conſtrained to declare his innocencie. And beginning the narration from what happened in the time of *Leo*, afterwards in the time of *Adrian*, and finally in his Papacie, he ſhewed that he had a good intention in all his actions, and was inforced to doe as hee had done, laying the fault vpon the Pope. Hee repeated many benefits which hee had done him, and on the contrary ſide many treaties which the Pope had made againſt him in diuers occaſions: and in concluſion he ſaid that he deſired nothing more then the publique quiet, an vniuerſall peace, and the iuſt libertie of *Italie*. Which things if they were deſired by his Holineſſe, hee ought to lay downe his weapons, putting *Peters* ſword into the ſheath. For this foundation being laid, it was eaſie to build peace thereupon, and to applie themſelues to correct the errours of the Lutherans, and other heretiques, wherein hee ſhould haue found him an obedient ſonne. But if his Holineſſe did otherwiſe, hee proteſted before God and men, that hee could not bee blamed for none of theſe ſiniſter chances which ſhould happen to Chriſtian Religion; promiſing that if hee will admit his iuſtifications as true and lawfull, hee will not remember any iniuries receiued. But if hee ſhall continue to beare armes againſt him, becauſe this will not bee the office of a father, but of a partie, nor of a Paſtor, but of an aſſayler, it will not be conuenient that hee bee iudge in thoſe cauſes, and there being none other vnto whom recourſe may be had againſt him, for his owne

Containing 22. ſheetes of royall paper.

1526
CLEMENT 7.
CHARLES 5.
HENRY 8.
FRANCIS 1.

iuſtification, hee will referre all to the knowledge and and iudgement of a generall Councell of all Chriſtendome; exhorting his Holineſſe in the Lord to intimate it in a ſecure and fit place, limiting vnto it a conuenient terme. For ſeeing the ſtate of the Church & of Religion to be altogether troubled, to prouide for his owne and the Common-wealths ſafetie, hee flieth to that ſacred and vniuerſall Councell, and appealeth vnto it againſt all the threats paſt, and grieuances to come.

The Emperors anſwere to the ſecond Brief.

The anſwere to the ſecond was made the eighteenth; and in that he ſaid, that hee was glad to ſee his Holineſſe treat more louingly, and to deſire peace more earneſtly in his ſecond letters; which if it were as much in his power to eſtabliſh, as it is in the power of others to make warre, he ſhould ſee what his mind was. Although hee thinketh that his Holineſſe ſpeaketh as thruſt forward by others, not of his voluntary minde, and hopeth in God that hee will rather procure the publique good, then follow the affections of other men. Wherfore he prayeth him to behold the calamities of Chriſtendome. For he calleth God to witneſſe, that hee will bee alwayes ready to let euery one knowe, that hee hath none other end then the glory of God, and the ſafetie of his people; as hee hath written more at large in the other letters.

The Emperor writeth to the Colledge of Cardinals.

The Emperour, the ſixt of October, wrot alſo to the Colledge of Cardinals, that hee was exceedingly grieued, that the Pope forgetting the Papall dignitie, went about to diſturbe the publique quiet, and when he thought hee had giuen peace to the whole world, by making the accord with the French King, that letters came to him from his Holineſſe, ſuch as hee neuer thought would haue come from a common father, and Vicar of CHRIST: which he beleeued alſo were not reſolued on without their counſell, becauſe he was perſwaded that the Pope treated not of things of ſo great moment, without communicating all vnto them. Therefore hee was troubled very much, to ſee that from a Pope and ſo religious fathers ſhould proceed wars, threats, and pernicious counſels againſt an Emperour, protectour of the Church, and ſo well deſeruing, that to pleaſe them hee ſtopped his eares in *Wormes* againſt the prayers of all *Germanie*, made vnto him againſt the oppreſſions and grieuances, which it receiued from the Court of *Rome*, making none account of the honeſt demands that a Conncell might bee called, to withſtand the foreſaid oppreſſions, which would be as much as to withſtand the Lutheran hereſie. That to ſerue the Sea of *Rome*, hee had prohibited the meeting at *Spira*, which *Germanie* had intimated, foreſeeing that it would haue bin a beginning to ſeparate it frō the obedience of *Rome*, & hath diuerted the thoughts of thoſe Princes by promiſing them a Councel. Wherof hauing written, and giuen account to the Pope, his Holineſſe thanked him for hauing forbid the Aſſembly of *Spira*, but prayed him to deferre to ſpeake of a Councell vntill a more conuenient time. And hee, to pleaſe, made more account to giue him ſatisfaction, then of the prayers of *Germanie*, which were ſo neceſſary. And yet for all this the Pope now wrot letters vnto him, full of complaints and imputations, demanding things of him, which he could neither iuſtly, nor ſecurely grant. Of which letters he ſendeth them a copie, being deſirous to ſignifie the whole vnto them, that they might vphold Chriſtianitie, now ready to fall, and imploy themſelues

to

to diuert the Pope from so pernicious a deliberation; in which if he shall remaine vnmoueable, they may exhort him to call a Councell; whereunto in case he will not condescend according to order of law, hee beseecheth their most reuerend Paternities, and the sacred Colledge, that, the Pope denying or deferring the conuocation, they would call it themselues, obseruing the due order. Wherefore if they shall refuse to grant him this iust demand, or shal deferre longer then is conuenient, he wil make prouision for it himself by the imperiall authoritie, vsing the meanes that are iust and fitting. This letter was deliuered in the Consistory the twelfth of December, and together also with it a duplicate of the letter, which was consigned to the Nuncio in *Granada*, was presented to the Pope.

1526
CLEMENT 7.
CHARLES 5.
HENRY 8.
FRANCIS 1.

And perswadeth them to call a Councel if the Pope refuse.

All these letters were instantly printed in diuers places of *Germanie*, *Spaine*, and *Italy*, and many copies went vp and downe from hand to hand. Those persons, who though they obserue the accidents of the world, yet haue not much capacitie, and vse to liue and gouerne themselues by the examples of others, and especially of the Grandies, and who by the demonstrations which *Charles* made against the Lutherans, as well in *Wormes*, as in other places, in contemplation of the Papacie, beleeued that he fauoured the Popes side for religion and conscience sake, seeing his change, were much scandalized, especially for that he said, that he stopped his eares to the honest prayers of *Germanie*, to doe the Pope a pleasure. And those of the wiser sort were of opinion, that his Maiestie was not well aduised to diuulge so great a secret, and to giue the world occasion to beleeue, that the reuerence shewed towards the Pope, was an Arte of gouernement couered with the cloake of religion. And further they expected, that for these letters the Pope would shew some desire of reuenge, the Emperour hauing touched two great secrets of the Popedome: the one in appealing from the Pope to a future Councell, contrary to the constitutions of *Pius* and *Iulius* the seconds, the other, in hauing inuited the Cardinals to call a Councell, in case of a negatiue giuen, or a dilation interposed by the Pope. And it was necessary that this beginning should draw great consequences with it.

The Emperor is censured in *Germany*.

But as seedes, though most fertile, cast into the ground out of season, fructifie not, so these great attempts happening in time not conuenient became vaine. And so much happened in this occasion. For while the Pope sought reuenge with his armes, and with the armes of so many Princes, that hee might vse spirituall remedies, after he had made some temporall foundation, those of the familie of *Colonna*, either not trusting the Popes promises, or for some other cause, arming their Subiects, and others who followed that faction, approched *Rome*, vpon the side of the Suburbs, the twentieth of September: which amazed very much the Popes familie. And the Pope himselfe, surprized vpon the sudden, and wholly confused, knowing not what resolution to take, called for the solemne Pontificall habits, saying, that so apparelled, to the imitation of *Boniface* the 8. sitting in the Pontificall chaire, hee would expect to see if they dared adde to the first, a second violation of the Apostolicall dignitie, in the person of the Pope himselfe. But hee easily yeelded to the counsel of his friends to saue himselfe in the Castle by the gallerie, and not giue occasion to be noted of folly.

The familie of *Colonna* assault *Rome*, and take it.

The Pope saueth himselfe in the Castle.

1526
CLEMENT 7.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The palace and S. *Peters* Church are sacked.

The *Colonnesi* entred *Rome*, and sacked the Popes palace, and S. *Peters* Church. They spread themselues also euen vnto the principall houses of the Borough. But the inhabitants making resistance, and the *Orsini*, a contrary faction, comming in ayde against them, they were constrained to retire themselues into a secure quarter, which they had taken neere hand, yet carying with them the spoyles of the *Vatican*, with the infinite displeasure of the Pope; and the armie waxing bigger euery day with succours, that arriued from *Naples*, the Pope fearing some greater incounter, ouercome by necessitie, called into the Castle *Don Hugo de Moncado*, one of the Emperours ministers, concluded a truce with him for foure moneths, with condition that the *Colonnesi* and *Neapolitans* should retire themselues from *Rome*, and the Pope should call backe his Souldiers from *Lombardie*: the which both parties performing, *Clement* caused his men to returne to *Rome*, vnder pretence to obserue the capitulations of the truce; and being by them secured, hee thundered out excommunications against the *Colonnesi*, declaring them heretiques, and Schismatiques, and excommunicating whosoeuer afforded them assistance, counsell or fauour, or gaue them entertainement, and depriued also the Cardinall of his red Hatte; the Cardinall being in *Naples*, not esteeming the Popes censures, published an appeale to the Councell, proposing not only the iniustice and nullitie of the monitories, censures and sentences, but also the necessities of the Church vniuersall, which being manifestly ruinated, could not be eased any other way, then by calling of a lawfull Councell, which might reforme it in the head and in the members. In conclusion he cited *Clement* to the Councell, which the Emperour would assemble in *Spira*.

A truce concluded.

The Popes Bull against the *Colonnesi*.

The Cardinal appealeth to the Councel.

Of this Appeale, or Citation, or manifest, there were copies hanged by night, by those of the faction of the house of *Colonna*, vpon the doores of the principall Churches in *Rome*, and in diuers other places, and spread ouer *Italie*. This put Clement in a great passion who mightily abhorred the very name of a Councell; not so much fearing the moderating of the Popes authoritie, and of the profit of the Court, as for his owne proper respects. For though *Leo* his kinsman, when he made him Cardinall, caused proofe to be made, that there was promise of marriage betweene his mother and his father *Iulianus*, yet the vntrueth of the proofes was notorious: and though there bee no law which prohibiteth bastards to ascend to the Papacie, yet the vulgar opinion is, that the Papall dignitie is not compatible with such a qualitie. Hee doubted exceedingly, that vnto such a pretence, though vaine, strength might be giuen by his enemies, being vpheld by the power of the Emperour. But hee was more afrayd, because, being conscious by what artes he mounted to the Popedome, and how Cardinall *Colonna* had a way to proue it, considering the seuere Bull of *Iulius* the 2. which maketh a nullity in a Simoniacall election, and forbiddeth that it should bee made good by any subsequent consent, hee greatly doubted that it would happen vnto him as it did vnto *Baltassar Cossa*, called *Iohn* the 23. But I haue not been able to learne what was the negotiation of the Counsell of *Spira*, hauing not found any mention thereof, but in the foresaid manifest, and in *Paulus Iouius* in the life of the forenamed Cardinal. In the height of these tumults the yeere ended, with publique expectation, and feare where the tempest would fall.

The Pope feareth a coūcel in regard of his illegitimation, and Simonie.

Pall

No subsequent consent can make good a Simoniacall election of the Pope.

For

1527
CLEMENT 7.
CHARLES 5.
HENRY 8.
FRANCIS 1.

For the next yeere 1527. the negotiations of a Councell were buried in silence; according to the vse of humane affaires, that in the time of warre, prouision for lawes hath no place. Yet there succeeded notable accidents, necessarie to bee related, for the vnderstanding of those things which hapned afterwards, in the matter which we handle. For the Viceroy of *Naples*, pretending that the Pope, by proceeding against the *Colonnesi*, had broken the truce, incited by the Cardinall, and others of that familie, put his Souldiers into their iourney towards *Rome*: And on the other side also *Charles* of *Borbone*, generall of the Emperours armie in *Lombardie*, not hauing wherewith to pay his Souldiers, fearing they would mutin, or at the least, runne away, being desirous by all meanes to keepe them together, sent them towards the Ecclesiasticall State; whereunto also hee was mightily incited, by *George Fransperg* a German captaine; who hauing conducted into *Italie* betweene thirteene and foureteene thousand Souldiers of *Germanie*, almost all Lutherans, with no other pay, but of one crowne a piece of his owne goods, and promise to lead them to *Rome*, hee shewed the great opportunitie they had to get spoiles, and to make themselues rich, in a citie where all the golde of Europe may be found.

The Viceroy of *Naples* marcheth towards *Rome*, pretending the breach of the truce.

Charles of *Borbon* marcheth towards *Rome*.

George Fransperg is Generall of 13000. Almans.

In the end of Ianuarie, *Borbon* passed the *Po* with all these troupes, and directed his iourney towards *Romania*: which march troubled *Clement* exceedingly, considering the qualitie of the men, and the continuall threats of *Fransperg*, who caused a halter to be caried neere his Colours, saying, that with that he would hang the Pope, the better to encourage his men to stand vnited, and to support the iourney though they were not paide: All which things induced the Pope to giue eare to *Cesar Fieramosca*, a Neapolitan, who came newly from *Spaine*, and brought a long letter from *Cesar*, full of offers. And, assuring his Holines, that his Maiesty disliked the inuasiō of *Rome*, made by the *Colonnesi*, & that he was desirous of peace, he induced him to hearken to the truce, which should be negotiated between him & the Viceroy of *Naples*. And although in March, Captaine *George Fransperg* was taken with a fit of an Apoplexie, which caused his death, yet because the armie was entred into the Ecclesiasticall State, and still marched forward, the Pope in the end of the moneth, resolued to come to an accord, though hee saw it would bee to his great indignitie, and would giue suspition to his confederates, and perhaps aliene them from defending him. Therefore the suspension of armes for eight moneths was established, the Pope paying 60000. crownes, absoluing those of the house of *Colonna* from the censures, and restoring to the Cardinal his dignitie, whereunto he condescended exceeding hardly. But howsoeuer the truce were concluded with the Viceroy of *Naples*, the money disbursed, and the *Colonnesi* restored, yet this was not accepted by the Duke of *Bourbon*; who, following on his iourny, the 5. of May lodged neere *Rome*, and assayled it the next day on the Vatican side. Where, though the Popes Souldiers, and the youth of *Rome*, especially of the Guelfish faction, opposed themselues valiantly in the beginning, and *Bourbon* were slaine by a Musket shot, notwithstanding the armie entred, and those that defended the Towne, fled into the Suburbes. The Pope, as in sudden accidents, full of feare, saued himselfe, with some of the Cardinalls, in the Castle: and although hee was counselled

He carieth with him an halter to hang the Pope.

Fransperg dieth.

An accord is made.

Rome taken by the armie of *Borbon* after his death, and sacked.

not

1527
CLEMENT 7
CHARLES 5.
HENRY 8.
FRANCIS 1.

not to tary, but to passe immediately into *Rome*, and from thence, to goe to some secure place, yet, refusing this good counsell, hee resolued to remaine there. The Citie, now without a head, was full of confusion, so that none vsed the remedie which then was fit, that is, to breake downe the Bridges, which goe ouer the riuer *Tiber*, from the Suburbes to the Citie, and to defend themselues; which if it had beene done, the Romans would haue had time, at the least, to retire all men of account, and goods of value, into a secure place. But this not being done, the Souldiers passed into the Citie, spoiled not onely the houses, but the Churches also of all their ornaments, casting on the ground and treading vnder feet the reliques, and other sacred things which were not of value, putting the Cardinals and other Prelates in prison, making a mocke of their persons, by setting them on vile beasts in the Pontificall habit. It is certaine, that the Cardinals of *Siena*, *Minerua*, and *Ponceta* were well beaten, and caried most basely in processions, and that the Spanish and German Cardinals, though they were confident, because the armie was composed of their nations, were not better vsed then the rest. The Pope, retired into the Castle of Saint *Angelo*, was besieged, and constrained to make an accord, at the same time yeelding the Castle to the Emperours captaines, and consigning his person prisoner therein: where hee was kept very close. And being in exceeding great affliction for the things past, there was added one more, in his opinion, much greater, that the Cardinall of *Cortona*, who gouerned *Florence* in his name, hauing heard the newes, retired himselfe from the Citie, and left it free. The which hauing suddenly chased out the *Medici*, and regained their libertie, reformed their gouernement, and the greater part of the Citizens shewed such hatred towards the Pope and his familie, that they defaced their armes, euen in their priuate places, and disgraced, with many blowes, the images of *Leo* and *Clement*, which were in the Church of the *Nunciata*.

The Cardinals imprisoned and mocked, and some of them beaten.

The Pope yeeldeth the Castle and his person.

Florence becommeth free againe.

The images of *Leo* the 10. and of *Clement* the 7. are defaced.

But the Emperour, hauing receiued aduice of the sacking of *Rome*, and of the imprisonment of the Pope, gaue many signes of infinite griefe, and made demonstration thereof by causing the solemne feasts to cease, which were made in *Valadolid*, for the birth of his sonne, the one and twentieth of the same moneth. By which appearances he would haue giuen testimonie to the world, of his pietie and religion, if hee had commanded at the same time that the person of the Pope should bee set at libertie. But the world, that saw the Pope was prisoner sixe moneths more, perceiued what difference there was betweene trueth and appearance.

The Emperor maketh a shew of griefe for the Popes calamitie.

They began immediately to treat of the Popes deliuerie. The Emperour would haue had him conducted into *Spaine*, deeming (as was true indeede) that it would haue beene a great reputation to him, if in two yeeres there had beene brought out of *Italie* into *Spaine*, two so great prisoners, a French King, and a Pope of *Rome*. But because all Spaine, and especially the Prelates, detested to behold so great an ignominie of christianitie, that he should bee brought prisoner thither, who represented the person of CHRIST, hee changed that opinion, considering also it was not good to stirre vp too much enuie against himselfe, nor to prouoke the King of England, whom he feared much, in case he should haue ioyned himselfe more neerely with the French

And is dissuaded from causing him to be brought into *Spaine*.

King,

King, then hee was by the peace publiſhed in Auguſt; who had alreadie ſent a potent armie into *Italie*, and atchieued diuers victories in *Lombardie*. Wherefore in the ende of the yeere, the Emperour graunted that the Pope ſhould be ſet free with this condition, that hee ſhould not bee againſt him in the affaires of *Milan* and *Naples*, and, for ſecuritie thereof, ſhould giue into his hands, *Oſtia*, *Ciuita vecchia*, *Ciuita Caſtellana*, and the Cittadell of *Furli*, and for hoſtages, his two Nephews, *Hippolitus* and *Alexander*, that he ſhould grant him a *Cruſado* in *Spaine*, and a tenth of the Church reuenues in all his kingdomes. The deliuerie being concluded, and hauing receiued power to depart out of the Caſtle the ninth of December, hee durſt not expect ſo long, but went out the night before, with a ſmall conuoy, in the habit of a Merchant, and retired himſelfe immediatelly to *Monte Fiaſcone*, and after hee had taried there a little, from thence hee paſſed to *Oruieto*.

1527
CLEMENT 7.
CHARLES 5.
HENRY 8.
FRANCIS 1.
The Pope is ſet at libertie vpon hard conditions.

While the Princes were all buſied in warre, the affaires of religion altered in diuers places; in ſome, by publike Decree of the Magiſtrates, in others by popular ſedition. For *Berne*, making a ſolemne aſſembly, both of their owne Doctors, and of Strangers, and hearing a diſputation many dayes, receiued the doctrine conformable to *Zuric*, and in *Baſil* all the images were ruined and burnt, by a popular ſedition, and the Magiſtrate depriued, and others put in his place, and the new religion eſtabliſhed. And on the other ſide, eight Cantons aſſembled themſelues together, and ratified within their territories the doctrine of the Church of *Rome*, and wrote a long exhortation to thoſe of *Berne*, perſwading them not to change their Religion, which belonged not to one people, or one Countrey, but onely to a Councell of the whole world. But for all that, the example of *Berne* was followed at *Geneua*, *Conſtance*, and other places thereabout; and in *Argentina*, after a publike diſputation, the Maſſe was prohibited by a publike Decree, vntill the defenders of it could ſhew that it was a worſhip acceptable to God, notwithſtanding that the Chamber of *Spira* had made a great and a long remonſtrance, that it was not lawfull, not onely for one citie, but not for all the States of the Empire, to make innouation of rites and doctrine, it belonging onely to a generall or nationall Councell.

The ſtate of religion in the Cantons of the Suiſſes & other places.

In *Italie*, theſe two yeeres there being neither Pope nor Court of *Rome*, and it ſeeming, that theſe calamities were an execution of Gods iudgement againſt that gouernement, many men beganne to reforme, and in priuate houſes in diuers Cities, eſpecially in *Faenza*, a Towne belonging to the Pope, there was preaching againſt the Church of *Rome*, and the number of thoſe, whom others called Lutherans, and themſelues Goſpellers, increaſed euery day.

1528
The reformed religion increaſeth in *Italie*.

The yeere following 1528, the French armie was farre aduanced within the kingdome of *Naples*, and had poſſeſſed it almoſt all; which conſtrained the Emperorus Captaines to conduct the armie out of *Rome*, much diminiſhed, partly by reaſon of thoſe, who, laden with ſpoyles, meant to put them in a ſecure place, and partly becauſe of the plague, which cauſed great mortalitie among them. The confederates inſtantly deſired the Pope, that *Rome* being ſet at libertie by neceſſitie, not by the deſire of the Emperour, hauing no more neede to temporize with him, hee would in

The Frenchmen being entred into the kingdome of *Naples*, cauſe the Spaniſh armie to forſake *Rome*.

that

1529 Clemunt 7. Charles 5. Henry 8. Francis 1.

that occasion declare himselfe to be ioyned with them, and proceed against him with spirituall armes, and depriue him of the kingdome of *Naples*, and of the Empire. But the Pope, as well for that hee was wearied with troubles, as also, becausse in case the confederates had gained the better, they would haue maintained the liberty of *Florence*, the gouernment whereof he more desired to recouer, then to be reuenged of the iniuries receiued from *Charles*, hee made a firme resolution not to be contrary, yea, to ioyne himselfe with him vpon the first occasion, to regaine *Florence*: the which hee was assured that, if the French King and the *Venetians* had been coquerours in *Italie*, they would haue maintained in libertie. Yet keeping this within his breast for the present, he excused himselfe that, by reason of his pouertie, and want of power, it would rather be a burthen then an ease to the confederats, and that the depriuation of the Emperor would cause *Germanie* to be suspicious, that he would pretend to haue authoritie to create the Emperour. And thinking that his confederates perceiued what he aymed at, as he was excellent in couering his designes, hee made all demonstration that hee had layd aside all thought of temporall things. Hee let the *Florentines* vnderstand many moneths together, that he was most vnwilling to meddle in their gouernment, onely desiring that they would acknowledge him as Pope, and not more then other Christian Princes did: that they would not persecute his familie in their priuate affaires; that they would be contented that their armes should stand within the buildings of his predecessors. Hee spake of nothing but of reforming the Church and reducing the *Lutherans*. That he was resolued to passe into *Germanie* in person, and to giue such an example that all should be conuerted. And these were the speaches hee vsed all this yeere: so that many beleeued for certaine, that those afflictions which God had laid vpon him for his amendment, had produced their due fruit. But that which followed in the yeeres after, made the godly beleeue that they were as seed sowen vpon a rocke, or by the way side, and the wise, that they were a baite to bring the *Florentines* asleepe.

The Pope refuseth to ioine with the confederates, for the more easie recouerie of *Florence*.

The Pope maketh shew to haue laid aside all care of temporall things.

1529 The treaties of the Councell begin againe.

The cautionary townes are restored to the Pope.

A peace is cõcluded betweene the Pope and the Emperour, with diuers conditions.

The next yeere 1529, a peace being negotiated betweene the Emperour, and the French King, and the heate of warre abated, the treaties of a Councell began againe. For *Francis Guignones*, Cardinall of *Santa Croce*, hauing brought out of *Spaine*, from the Emperour to the Pope, the release of *Ostia*, *Ciuitá Vecchia*, and other townes belonging to the Church, consigned to the Emperours ministers for securitie of the Popes promises, together with large offers, *Clement*, considering the treatie of peace, which was negotiated with the French King, and how much his owne interests required, that he should be firmely ioyned with *Charles*, he sent vnto him, vnto *Barcellona*, *Ierolamo* Bishop of *Vasone*, master of his house, to treate the articles of accord betweene them: which were easily concluded, for that the Pope promised the inuestiture of *Naples*, for the tribute of a white horse onely, the patronage of the 24. Churches, passage for his men, and the imperial Crowne. On the the other, the Emperour promised to restore into *Florence* the Popes Nephew, the sonne of *Lorenzo*, and to giue him to wife *Margarite* his bastard daughter, and to assist him in the recouery of *Ceruia*, *Rauenna*, *Modena*, and *Reggio*, taken from him by the *Venetians*, and the Duke of *Ferrara*. They agreed

agreed alſo to receiue one another at the Coronation, with the accuſtomed ceremonies. Onely one point was long diſputed: For the Popes miniſters propoſed, that *Charles* and *Ferdinand* ſhould bee bound to conſtraine the Lutherans, by force of armes, to returne to the obedience of the Church of *Rome*, and thoſe that were for the Emperour required, that to reduce them the better, the Pope ſhould call a generall Councell. After long diſcuſſion of this point, not to cut off ſo many other important deſeignes, on which they were agreed, it was reſolued to ſtand in this article in generall termes, and concluded, that, to reduce the Lutherans to the vnion of the Church, the Pope ſhould vſe ſpirituall meanes, and *Charles* and *Ferdinand* temporall; who alſo ſhould make warre againſt them if they remained obſtinate: and in that caſe the Pope ſhould prouide that the other Chriſtian Princes ſhould aſſiſt them. 1529

CLEMENT 7. CHARLES 5.

HENRY 8. FRANCIS 1.

A point much diſputed betweene the Pope and the Emperour.

In this ſort the confederation was concluded, with much ioy of *Clement*, and marueile of the world, how, hauing loſt all his ſtate and reputation, hee ſhould returne to the ſame greatneſſe in ſo ſhort a time. In *Italie*, which ſawe an accident ſo full of varietie, or rather contrarietie, it was eſteemed a diuine miracle, and by thoſe that loued the Court, it was aſcribed to a demonſtration of the fauour of God towards the Church.

Clement ſuddenly recouereth all his greatneſſe.

But in *Germanie* a Diet being intimated in *Spira*, which began the 15. of March, the Pope ſent thither *Iohn Thomas* of *Mirandula*, to exhort them to the war againſt the Turke, promiſing to contribute himſelfe alſo as much as his forces, exhauſted by the calamities of the yeeres paſt, would allow him to doe, and to giue aſſurance that he would vſe all induſtrie to accord the differences betweene the Emperour and the French King; that all things being pacified, and all impediments taken away, he might applie himſelfe, as ſoone as it was poſſible, to the calling and celebration of a Councell, to reeſtabliſh Religion in *Germanie*.

He ſendeth to the Diet of *Spira*.

In the Diet they firſt treated of Religion: And the Catholiques thought to put diſſention between their aduerſaries, diuided into two opinions, ſome following the doctrine of *Luther*, and ſome of *Zuinglius*, if the Landgraue of *Haſsia*, a man wiſe and prouident, had not withſtood the danger; ſhewing that the difference was not great, and giuing hope that it might eaſily be accorded, and declaring the dammage that would ariſe by the diuiſion, and the aduantage which their aduerſaries would haue gained. After long diſputation in the Diet, to finde out a forme of compoſition, in the ende a Decree was made, that, the Decree of the former Diet of *Spira*, being wreſted by bad interpretations to defend all abſurditie of opinions, and therefore being now conſtrained to expound it, they ordained, that whoſoeuer had obſerued the Emperours Edict of *Wormes*, ſhould obſerue it ſtill, compelling alſo the people thereunto vntill the time of the Councell, which the Emperour gaue aſſured hope ſhould be called ſhortly: and hee that had changed doctrine, and could not bee reduced without danger of ſedition, ſhould abide there, and innouate nothing more vntill the Councell began: that the Maſſe ſhould not bee taken away, nor hindred in any place where the new doctrine was receiued; that Anabaptiſme ſhould be puniſhed capitally, according to the Edict publiſhed by the Emperor, which they ratified;

The Landgraue of *Haſſia* preuenteth the diuiſion which the Romane Catholiques, would haue made amongſt the Reformatiſts.

The decree of the Diet of *Spira*.

and

1529 and that concerning the Sermons and Prints, the Decrees made in the two
CLEMENT 7. CHARLES 5. last Diets of *Noremberg* should be obserued; that is, that the Preachers be cir-
HENRY 8. FRANCIS. cumspect, take heede of giuing offensiue words, and giue not occasion to the people to rise against the magistrate, that they propose no new opinions which haue no foundation in the holy Scripture, but preach the Gospell according to the interpretation approoued by the Church, without touching other things that be disputable, expecting the determination of the Councell, where all shall be lawfully decided.

Is opposed. The Elector of *Saxonie*, and fiue Princes more, opposed themselues to this Decree, saying, that they ought not to forsake the Decree made in the former Diet, by which euery one might exercise his owne religion vntill the Councell; which Decree being made by the common consent of all, could not without the same consent, bee changed. That the originall cause of the dissentions was very clearely perceiued in the Diet of *Noremberg*, and the same Pope, vnto whom the demands were sent, and the hundred grieuances expounded, confessed it; yet for all this, no amendment was seene. That, in all the consultations, it was euer concluded that there was no way more conuenient to remooue the controuersies then by a Councell. In the meane space, while this is expected, to receiue their Decree, were to denie the pure and vndefiled word of God; and to allow the Masse, were to renew the disorders. They said they commended that parte, that is, to preach the Gospel according to the interpretations approoued by the Church, but that there remained a doubt which was the true Church. That to establish a Decree so obscure, was to lay open a way to many tumults and controuersies, and therefore would not by any meanes giue consent vnto it. That they would giue account to all men, and euen vnto *Cesar* himselfe, of this their opinion. And that vntill the beginning of the Councell, either generall of all Christendome, or nationall of *Germanie*, they will doe nothing that may iustly bee reprooued.

How the name of Protestants began. To this declaration foureteene principall cities of *Germanie* adhered, and from hence came the name of Protestants, by which they are called who follow the doctrine renewed by *Luther*. For these Princes and cities gaue out their protestation and appeale, from that Decree vnto *Cesar*, and to a future generall Councell, or nationall of *Germanie*, and to all iudges not suspected.

The difference in opinion betweene *Luther* and *Zuinglius*. And because mention is made of the difference in opinion betweene *Luther* and *Zuinglius*, in matter of the Sacrament, it is fit to shew heere, how the renouation of doctrine being begun in two places, by two persons independent the one of the other, that is by *Luther* in *Saxonie*, and *Zuinglius* in *Zuric*, they consented in all the heads of doctrine, vntill the yeere 1525. and then in the explication of the mysterie of the most holy Sacrament of the Eucharist, though they both agreed, in saying that the bodie and blood of our Lord Iesus Christ are in the Sacrament onely in vse, receiued with the heart and faith, yet *Luther* taught that the words of our Lord (*This is my bodie*) ought to be receiued in a naked and plaine sence; and, on the contrarie, *Zuinglius* taught that the words were figuratiuely, spiritually, and Sacramentally, and not carnally to be vnderstood. And the contention alwayes increased, and became

came euery day more bitter, especially on *Martins* side; who treated after a sharpe manner against the aduerse partie. And this gaue matter to the Catholikes in this yeeres Diet of *Spira*, to be able (as hath beene said) to put distrust and distast betweene the parties. But the *Landgraue* of *Hassia*, who, hauing discouered the cunning of the aduersaries, kept his side in peace, with hope to reconcile the contrarie opinions, as well to maintaine his promise, as to withstand future dangers, procured a conference, solicited the *Swisses* to send their men, and assigned *Marpurg* for the place of the disputation, and all the moneth of October of the same yeere 1529. There came out of *Saxonie*, *Luther* and his two scholers, and out of *Suisserland*, *Zwinglius* and *Ecolampadius*. Only *Luther* and *Zuinglius* disputed, and the disputation continued many dayes; yet for all this it was impossible for them to agree; whether it were, because the controuersie being passed on so farre, it seemed that the honour of the Authors was in question, or because, as it happeneth in verball contentions, the smalnesse of the difference, nourisheth the obstinacie of the parties; or because, as a little after *Martin* wrote to a friend, seeing much tumult raysed, he would not by *Zuinglius* his forme of words, which the Romanists so much abhorred, make his Princes more odious, and expose them to greater danger. But bee the cause what it will, one more vniuersall is very true, that it pleased the Maiesty of God to vse this difference of opinions, for diuers effects, which followed after. It was necessarie to end the colloquie without conclusion, but that, by the meanes of the *Landgraue* they agreed in this, that being of accord in all other points, they ought hereafter to abstaine from bitternesse in this particular, praying God to shew some light of agreement. Which conclusion, though resolued on with wisedome, and, as they said, with charitie, being not followed by their successours, hindered very much the progresse of the reformed Doctrine. For in cause of religion, euery sub-diuision is a strong weapon in the hand of the contrarie partie.

1529

CLEMENT 7. CHARLES 5.

HENRY 8. FRANCIS 1.

The conference of *Marpurg*.

1529.

Luther and *Zuinglius* could not agree.

Pall

But the league betweene the Pope and Emperour being concluded, as hath beene saide, and the order set downe for the Coronation, the Citie of *Bolonia* was appointed for the place. For it seemed not conuenient to the Pope that this solemnitie should bee performed in *Rome*, in the presence of those who had sacked it but two yeeres before. This was acceptable also to *Charles*, because it made the ceremonies more short: which he desired, that hee might passe into *Germanie* so soone as might bee. Therefore the Pope, as the greater person, arriued first in *Bolonia*, and afterwards the Emperour the fifth of Nouember, where hee taried foure moneths, and remained in the same pallace with the Pope. Many things were treated of by these two Princes, partly for the vniuersall quiet of Christendome, and partly for the priuate interest of the one and the other. The principall were, the generall peace of *Italie*, and the extirpation of the Protestants in *Germanie*. To speake of the first, belongeth not to the subiect that is handled: but concerning the Protestants, it was proposed by one of the Emperours Counsellors, that, considering the nature of Germans, who are tenacious of libertie, it were better by faire meanes, and sweet representations, & by dissembling the knowledge of many things, to cause the Princes to returne to the obedience of the Pope. For this protection being taken from the new Doctors, the residue would easily bee

The Pope and Emperour met at *Bologna* about the coronation, but treated of diuers other matters.

1529
Clement 7
Charles 5.
Henry 8.
Francis 1.

remedied. And to doe this, a Councell was the true and proper remedie: as well becauſe it was deſired by them, as becauſe euery one would bow at that maieſticall and venerable name.

But the Pope, who feared nothing more then a Councell, eſpecially if it were to bee celebrated beyond the mountaines, free, and in the preſence of thoſe, who alreadie had openly ſhaken off the yoke of obedience, ſaw very well what an eaſie thing it was for theſe to perſwade the others alſo. Hee conſidered further, that although the cauſe was common to him with all other Biſhops, whom the new opinions ſought to depriue of the wealth they poſſeſſed, yet there remained ſome matter of diſtaſt, betweene them and the Court of *Rome*. For they pretended that collation of benefices, with the reſeruations and preuentions, was vſurped from them, and a great part of their authoritie taken away, and drawen to *Rome*, by calling of cauſes thither, by reſeruations of diſpenſations, & abſolutions, and ſuch like faculties, which formerly being common to all Biſhops, the Popes of *Rome* had appropriated to themſelues. Whereupon it was repreſented vnto him, that the celebration of a Councell would bee a totall diminution of the Popes authoritie: Therefore he turned all his thoughts to perſwade the Emperor, that a Councell was not good, to pacifie the ſtirres of *Germanie*, but pernicious for the Imperiall authoritie in thoſe Prouinces. He put him in mind of two ſorts of perſons, the multitude, and the Princes and Grandies: that it was probable that the multitude was deceiued, but to giue it ſatisfaction in the demand of a Councell, was not to giue it more light, but to bring in popular licence. If it were granted vnto them to make queſtion, or ſeeke greater perſpicuitie in religion, they would immediately pretend alſo to giue lawes for gouernement, and to reſtraine the authoritie of Princes by Decrees: and when they haue obtained to examine and diſcuſſe the Eccleſiaſticall authoritie, they will learne alſo to trouble the temporall. Hee ſhewed him that it was more eaſie to oppoſe the firſt demaunds of a multitude, then after they had beene gratified in part, to preſcribe them a meaſure. For the Princes and Grandies, hee might aſſure himſelfe, that their end was not pietie, but the making themſelues Lords of the Eccleſiaſticall goods, and being become abſolute, to acknowledge the Emperour nothing at all, or very little; and that many of them kept themſelues vnſpotted with that contagion, becauſe they haue not, as yet, deſcouered the ſecret, which being made manifeſt, they will all addreſſe themſelues to the ſame ſcope. That there was no doubt but that the Papacie would looſe much in the loſſe of *Germanie*: but the loſſe of the Emperour, and of the houſe of Auſtria would bee farre greater. Againſt which, if hee would make prouiſion, he had no other meanes, then ſeuerely to imploy his authoritie and power, while the greater part obeyed him: wherein expedition was neceſſarie, before the number increaſed, and the profit were diſcouered by all, which is reaped by following thoſe opinions. That vnto expedition, ſo neceſſarie, nothing is more contrarie, then to treat of a Councell. For though euery one incline himſelfe to it, and no impediment bee interpoſed, yet it cannot be aſſembled but in length of yeeres, nor the cauſes handled without prolixitie: which thing onely he would conſider. For it were infinite to ſpeake of impediments which would bee raiſed for diuers inte-

And the Pope did infinitely diſſwade the Emperour from deſiring a Councell.

reſts

reſts of perſons, who would oppoſe themſelues with diuers pretences, at the leaſt putting in delayes, that it may come to nothing. That there was a fame ſpread, that the Popes will haue no Councell, for feare their authoritie ſhould bee reſtrained; a reaſon, which maketh no impreſſion at all in him, hauing his authoritie immediately from Chriſt, with promiſe, that the gates of hell ſhall not preuaile againſt it. And the experience of former times hath ſhewed, that the Papall authoritie hath neuer beene diminiſhed in any Councell, but, according to the words of our Lord, the Fathers haue euer confeſſed it to be abſolute and vnlimited, as it is in deed. And when the Popes in humilitie, or for ſome other reſpect, haue forborne to vſe it intirely, the Fathers haue made them to put it wholly in execution. And this is cleerly to bee ſeene by him that ſhall read the things that are paſt. For the Popes haue alwayes imployed this meanes againſt the new opinions of heretiques, and in euery other neceſſitie, with increaſe of their authoritie. And ſetting aſide the promiſe of CHRIST, which is the true and onely foundation, and conſidering the things but temporally, the Councel conſiſteth of Biſhops; vnto Biſhops the Papall greatneſſe is profitable, becauſe they are by that protected againſt Prince and people. Kings and other Soueraignes alſo who haue vnderſtood, and will vnderſtand well the rules of gouerning, will alwayes fauour the Apoſtolicall authoritie, hauing no other meanes to repreſſe and keepe in order their Prelates, when they haue the ſpirit to goe beyond their degree. The Pope concluded, that in his minde hee was ſo aſſured of the iſſue, that hee could ſpeake thereof as a Prophet; and affirme, that, by calling a Councel, greater diſorders would enſue in *Germany*. For thoſe that deſire it, pretend to continue vntill then in what they haue begun, when their opinions ſhall be condemned, and nothing elſe can ſucceede, they will take another cloake to detract from the Councell: and in concluſion the Emperours authoritie in *Germany* will come to nothing, and in other places will bee ſhaken; the Popes power will be diminiſhed in that Countrey, and in all the reſidue of the world, will bee increaſed the more. And therefore the Emperour ſhould beleeue his opinion, the rather becauſe he was not mooued by his proper intereſt, but with a deſire to ſee *Germany* reunited to the Church, and himſelfe obeyed. That nothing would take good effect, if hee went not preſently into *Germany*, and immediately vſed his authoritie, intimating that the ſentence of *Leo*, and the Edict of *Wormes* ſhould bee executed without any replie, not giuing eare to any thing the Proteſtants could ſay, either demanding a Councell, or more inſtruction, or alleaging their appeale or proteſtation, or any other excuſe, becauſe they are all but pretences of impietie. That hee ſhould vſe force againſt the firſt incounter of diſobedience, which would be eaſie for him to doe againſt a few, hauing all the Eccleſiaſticall Princes, and the greater part of the Seculars, who, to this end, would take armes with him. That this and no other thing is congruous to the office of the Emperour, Aduocate of the Church of *Rome*, and to the oath taken in *Aquiſgran*, and which hee ought to take in receiuing the Crowne from his hand. Laſtly, that it was a cleere caſe, that the holding of a Councell, or any other treatie or negotiation in this occaſion, would neceſſarily end with warre. Therfore it was

1529
CLEMENT 7.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The Pope perſwadeth the Emperor to execute the ſentence of *Leo*, and the Edict of *Wormes*.

1530 CLEMENT 7. CHARLES 5. HENRY 8. FRANCIS 1.

better to make triall of compoſing theſe diſorders, by the ſtrength of authoritie, and with abſolute command, which would eaſily take good effect; and in caſe it ſhould not, rather to proceede to force of armes, then let the raines looſe to popular licence, to the ambition of the Grandies, and peruerſeneſſe of the arch-heretiques.

Who condeſcendeth thereunto.

Theſe reaſons vnſeemely in the mouth of Friar *Iulius de Medici*, Caualier of *Malta*, (for ſo the Pope was called before he was created Cardinall) much more of Pope *Clement* the 7. did notwitſtanding preuaile with *Charles*, being ſeconded by the perſwaſions of *Mercurius de Gattinara*, the Emperours Chancellour and Cardinall, (vnto whom the Pope made many promiſes, and particularly that in the firſt promotion of Cardinals, which he then prepared to make, he would haue regard to his kinred and dependants) and by the Emperours proper inclination to haue more abſolute authoritie in *Germanie*, then was granted to his grandfather, or his fathers granfather.

1530 The Emperor is crowned in *Bolonia*.

In *Bolonia* all the ſolemne acts and ceremonies of the coronation were performed, which was finiſhed the 14. of February, and *Cæſar* being reſolued to goe perſonally into *Germanie*, to giue an end to thoſe diſorders, he intimated an imperiall Diet for the 8. of Aprill, and in March he began his iourney.

And reſolueth to employ his authority in matter of religion.

The Emperour parted from *Bolonia* with this firme reſolution, to labour in the Diet, with authoritie and command, that the Princes ſeparated one from another, ſhould returne to the obedience of the Church of *Rome*, and to prohibite Sermons and bookes of the reformed doctrine. And the Pope gaue him for company the Cardinall *Campeggio*, as Legate, who ſhould follow him to the Diet. Hee ſent alſo *Peter Paul Vergerius*, Nuncio to King *Ferdinand*, with inſtruction to labour with him, that there ſhould bee no diſputation in the Diet, nor conſultation concerning Religion, nor any reſolution taken to call a Councell in *Germanie* to that purpoſe; and to gaine the fauour of that Prince (who, being the Emperors brother, and hauing ſpent many yeeres in *Germanie*, hee thought was able to doe much) hee ſhould grant him power to take a contribution of the Clergie of *Germanie*, for the warre againſt the Turkes, and to make vſe of the gold and ſiluer appointed for ornament of the Churches.

Campeggio the Legate goeth with him. And *Peter Paul Vergerius* to *Ferdinand*.

The Diet of *Ausburg*. The Proteſtants refuſe to goe in proceſſion.

Almoſt all the Princes arriued at the Diet before *Cæſar*, who came thither the thirteenth of Iune, the eue of *Corpus Chriſti* day, and went in proceſſion the day following; but was nor able to obtaine that the Proteſtants would content themſelues to be there. Which the Legate perceiuing, with infinite diſpleaſure, for the preiudice done to the Pope by this contumacie, as hee termed it, to goe a ſtep further, and to cauſe the Proteſtants to aſſiſt at the Ceremonies of the Church of *Rome*, was a meanes that the Emperour eight dayes after, being to begin the aſſembly, gaue order to the Elector of *Saxonie* to carrie the ſword before him, as he went thither, according to his office, and to ſtand at the Maſſe. The Elector thought that by yeelding hee ſhould contradict his profeſſion, and by refuſing ſhould looſe his dignitie, hauing found out, that in caſe of his denial, the Emperour would giue the honour to another. But hee was counſelled by his Diuines, *Luthers* Schollers, that he might doe it without offence to his conſcience, aſſiſting as at a ciuill, not as at a religious Ceremonie: by the example of the Prophet *Eliſeus*,

The Duke of *Saxonie* carieth the ſword, after a long diſputation whether hee might ſafely aſſiſt at the Maſſe.

lizeus, who thought it not inconuenient that the captaine of the troupes of *Syria*, conuerted to the true Religion, ſhould bow himſelfe in the Temple of the Idole, when the King bowed, who leaned on his arme. This counſell was not approoued by others, becauſe by it one might conclude that euery one might lawfully be preſent at all the Rites of another Religion, as at ciuill Ceremonies; for no man could want a cauſe of neceſſitie, or vtilitie, which might induce thereunto. But others approouing the counſell, and the purpoſe of the Elector, concluded, that if the new doctors had formerly vſed this reaſon, and would vſe it hereafter, a gate had not been opened in many occaſions to diuers inconueniences, becauſe it would be lawfull to euery one by that example, for preſeruation of his dignitie, or his territorie, or the fauour of his Lord, or other eminent perſon, not to refuſe to giue aſſiſtance to any action whatſoeuer, at which, though others were preſent as at a religious act, hee aſſiſted, as at a ciuil thing.

1530
CLEMENT 7.
CHARLES 5.
HENRY 8.
FRANCIS 1.

In that Maſſe, *Vicenzo Pimpinello* Archbiſhop of *Roſano*, the Popes Nuncio, made an Oration in Latine before the Offertorie; in which he ſpake not a word of any ſpirituall or religious matter, but vpbraided *Germanie* for hauing ſuffered ſo many wrongs by the Turkes without reuenge; and exhorted them by many examples of ancient Captaines of the Romane Common-wealth, to make warre againſt them. Hee ſaid, the diſaduantage of *Germanie* was that the Turke obeyed one Prince onely, whereas in *Germanie* many obeyed not at all: that the Turkes liue in one religion, and the *Germans* euery day inuent new, and mocke the old, as if it were become mouldie. Hee taxed them, that being deſirous to change the faith, they had not found out one more holy at the leaſt, and more wiſe. Finally he exhorted them, that imitating *Scipio Naſica*, *Cato*, the people of *Rome*, and their anceſtors, they ſhould obſerue the Catholique Religion, forſake thoſe nouities, and applie themſelues to the warre.

The Sermon of *Vicenzo Pimpinello* the Popes Nuncio.

Pal.

Pall.

In the firſt Seſſion of the Diet, the Legat, Cardinall *Campeggio*, preſented the letters of his Legation, and in the aſſembly, in the preſence of the Emperour, made an Oration in Latine; the ſubſtance whereof was, that the cauſe of ſo many Sects, which then raigned, was want of charitie and loue; that the change of doctrine and rites, had not onely rent the Church in pieces but brought all policie to a miſerable deſolation. For remedying of which miſchiefe, the former Popes hauing ſent Legats to the Diets, and no fruit comming thereby, *Clement* had ſent him to exhort, to counſel, and to imploy all his indeuours to reſtore the true doctrine. And hauing commended the Emperour, hee exhorted all to obey whatſoeuer hee ſhall ordaine and reſolue vpon concerning Religion, and Articles of beliefe. Hee perſwaded them to make warre againſt the Turkes, promiſing that the Pope would ſpare no coſt to aſſiſt them. Hee prayed them for the loue of CHRIST, for their Countreys, and their owne ſafetie, that, laying aſide all errors, they would applie themſelues to ſet *Germanie*, and all Chriſtendome at libertie. That in ſo doing, the Pope, ſucceſſor of S. *Peter*, gaue them his benediction.

The Legate preſenteth his letters, and maketh an oration.

The Arch-biſhop of *Mentz* anſwered the Legats oration, by order of the Emperour and the Diet, that *Ceſar*, as ſupreme Aduocate of the Church, will vſe all meanes to compoſe the diſorders, will imploy all his forces in

And is anſwered by the Arch-biſhop of *Mentz*.

1530
CLEMENT 7.
CHARLES 5.
HENRY 8.
FRANCIS 1.

the warre againſt the Turkes, and that all the Princes will ioyne themſelues with him, in ſuch ſort, that their actions ſhall be approoued by God and the Pope. After this, many Ambaſſages being heard, the Elector of *Saxonie*, with the other Princes and proteſtant Cities ioyned with him, preſented to the Emperour the confeſſion of their faith, written in Latin and Dutch, inſtantly deſiring it might bee read. But the Emperour refuſing to haue it read in publique, it was put off vntill the next day, when the Legate would not be preſent for feare of receiuing ſome preiudice. But the Princes being aſſembled before the Emperour in an Hall, capable to receiue about 200. perſons, it was read with a loud voyce. And the Cities, which followed the doctrine of *Zuinglius*, preſented apart the confeſſion of their faith, not differing from the former, but onely in the point of the *Euchariſt*.

The Lutherans doe preſent a confeſſion of their faith.

And ſo do the *Zuinglians*.

The confeſſion of the Princes, which afterwards from this place, where it was read, was called *Auguſtana*, conteined two parts: in the firſt were expounded 21. articles of their Creede: of the vnitie of the God-head, of originall ſinne, of the incarnation, of iuſtification, of the miniſtery of the Goſpel, of the Church, of adminiſtring the Sacraments, of Baptiſme, of the *Euchariſt*, of Confeſſion, of Penance, of the vſe of the Sacraments, and the Eccleſiaſtical order, of the rites of the Church, of the ciuill Common-wealth, of the laſt iudgement, of free will, of the cauſe of ſinne, of faith, of good workes and worſhipping of Saints. In the ſecond were expounded the doctrines which were different from the Church of *Rome*, & the abuſes which the Confeſſioniſts reprooued. And theſe were declared at large in ſeuen articles; of the holy Communion, mariage of Prieſts, of the Maſſe, of Confeſſion, of the diſtinction of meates, of Monaſticall vowes, and Eccleſiaſticall iuriſdiction. In concluſion they offered, in caſe it were needfull, a more full information. But in the proheme thereof they deliuered, that they had put their confeſſion in writing to obey the Propoſe of his Maieſtie, that all men ought to preſent their opinions: and therefore if the other Princes will giue vp theirs in writing, they are ready to conferre peaceably with them, that they may come to an agreement; whereunto in caſe they could not come, his Maieſtie, hauing giuen them to vnderſtand in all the former Diets, that he could not determine or conclude any matter of Religion for diuers reſpects then alleaged, but that he would perſwade the Pope to call a generall Councel, and finally hauing cauſed it to be ſayd in the Diet of *Spira*, that the differences betweene his Maieſtie and the Pope being ready to bee compoſed, there could be no doubt but that hee would giue conſent vnto it, they offered to appeare, and to giue a reaſon, and make a defence of their cauſe in ſuch a generall, free, and Chriſtian aſſembly, of which it hath alwayes bin treated, in all the Diets celebrated during the time of his Empire. Vnto which Councel, and to his Maieſtie, they haue formerly in due forme, and vpon good cauſe appealed; vnto which appeale they doe yet adhere, not intending to abandon it, neither by this treatie, nor by any other, if the difference bee not charitably reduced firſt to a Chriſtian concord.

The name of the Auguſtan confeſſion began here.

This was the onely Act of the firſt day. But the Emperour, before he made any reſolution, would haue the Legates aduice. Who, hauing read and conſidered the confeſſion, together with the Diuines which he brought out

The Legate would not cenſure the Confeſſion.

out of *Italie*, though he was of opinion that it ought to be oppoſed, and a cenſure publiſhed vnder his name; yet, foreſeeing that it would giue occaſion of greater tumults, and ſaying plainely that the difference for the moſt part ſeemed verball, and that it imported not much whether one ſpake after one manner or after another, and that it was not reaſonable that the Apoſtolicall Sea ſhould take part in the diſputations of the Schooles, hee conſented not to haue his name vſed in the contentions. And hee anſwered the Emperour, that for the preſent, there was no cauſe to make any ſtrict examination of the doctrine, but to conſider the example which would bee giuen to all vnquiet and ſubtle wits, who would not haue wanted infinite other nouities to propoſe, with leſſe probabilitie, which would haue beene heard with greedineſſe, becauſe of the itching of eares which they ſtirre vp in the world; and that by correcting the abuſes that were noted, greater inconueniencies would bee raiſed, then thoſe which one ſought to remedie. That his opinion was that the doctrine of the Lutherans being read, to remoue all preiudice, a confutation thereof ſhould bee read likewiſe, which ſhould not bee publiſhed in copies, for feare of opening a way to diſputations, but meanes ſhould bee vſed, that the Proteſtants ſhould abſtaine from going further on, by propoſing fauours and threats. But the confeſſion being read, it wrought diuers effects in the minds of the Catholiques who heard it. Some thought the Proteſtants more wicked, then they were perſwaded, before they were informed of their particular opinions: others, on the contrarie, remitted much of the bad conceit they had againſt them, eſteeming their opinions not ſo abſurd as before they did, yea, for a great part of the abuſes, they confeſſed they were iuſtly reprehended. It is not to be omitted that Cardinall *Matthæo Langi*, Archbiſhop of *Salzburg*, told euery one, that the reformation of the Maſſe was honeſt, the libertie in meates conuenient, and the demand iuſt, to be diſburthened of ſo many commandements of men, but that a poore Monke ſhould reforme all, was not to bee endured. And *Cornelius Scoperus*, the Emperours Secretarie, ſaide, that if the Proteſtant Preachers had money, they would eaſily buy of the Italians what Religion pleaſed them beſt, but without golde, it was impoſſible to make theirs ſhine in the world.

1530
CLEMENT 7.
CHARLES 5.
HENRY 8.
FRANCIS 1.

But gaue order that a confutation thereof ſhould bee read, and no copie giuen.

The Archbiſhop of *Salzburg* would not haue the world reformed by a Monke.

The Emperour, according to the Legates aduice, approoued alſo by his owne Counſellers, deſirous to compoſe all by a negatiue, went firſt about to ſeparate the Ambaſſadors of the cities from ioyning with the Princes: which proiect not ſucceeding, hee cauſed a confutation to be made of what the Proteſtants put vp in writing, and another of that which was produced by the Cities. And hauing called the whole Diet together, hee told the Proteſtants that hee had conſidered of the confeſſion preſented vnto him, and giuen order to ſome pious and learned men, to deliuer their opinion thereof. And heere hee made the confutation of it to be read; in which, many of their opinions being taxed, it was confeſſed in the end, that in the Church of *Rome*, there were ſome things fit to bee amended, againſt which hee promiſed that prouiſion ſhould be made; and therefore that the Proteſtants ought to referre themſelues vnto him, and returne to the Church, aſſuring them to obtaine all their iuſt demands; but in caſe they did otherwiſe, he would not faile to ſhew himſelfe protector and defender of it.

The

1530
CLEMENT 7.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The Proteſtant Princes offered to performe whatſoeuer could bee done with a ſafe conſcience, and if out of the holy Scripture, any errour in their doctrine were ſhewed, to correct it, or to make a further declaration, in caſe it were neceſſarie. And becauſe ſome of the points propoſed by them, were granted in the confutation, and ſome reiected, if a copie of the confutations were giuen them, they ſhould be expounded more cleerely.

A Colloquie betweene the Proteſtants & Catholikes.

After many treaties, ſeuen Catholikes, and ſeuen Proteſtants were choſen, to conferre together, to find out a meanes of compoſition: who, not being able to agree, the number was reſtrained to three a piece. And though ſome few ſmal points of doctrine, and other pettie things, belonging to ſome rites, were agreed on, yet, in concluſion, it was perceiued, that the conference could produce no concord at all; becauſe neither partie was willing to grant to the other any thing of importance. Many dayes being ſpent in this treatie, the refutation of the Cities confeſſion was read: whereunto their Ambaſſadors

The anſwer of the Proteſtant Ambaſſadors to the confutation.

anſwered, that many Articles of their writing were repeated otherwiſe then they were written by them, & many other things propoſed by them, drawne to a bad ſence, to make them odious: vnto all which obiections they would haue anſwered, if a copie of the confutation had beene giuen them: in the meane time, they prayed them not to beleeue any calumnie, but to expect their defence. They denied to giue them a copie, and ſaide that the Emperour would not ſuffer, that the points of religion ſhould bee put into diſputation.

The Emperour aſſayed by way of canuaſe to perſwade the Princes, telling them, that they were but few, their doctrine new, that it had beene ſufficiently confuted in this Diet, that their boldneſſe was great to condemne of errour, hereſie, and falſe religion, the Imperiall Maieſtie, and ſo many Princes and States of *Germanie*, with whom, themſelues being compared, made not a number; and, which is worſe, to eſteeme alſo for heretikes, their owne fathers and anceſtours, and to demaund a Councell, and yet to goe on ſtill in the errours. Theſe perſwaſions auailing nothing, becauſe they denied theirs to bee new, and the rites of the Roman Church olde, the Emperour imploying other remedies, vnto which he was aduiſed by the Legat *Campeggio*, cauſed euery one to be treated with apart, propoſing vnto them ſome ſatisfaction in their proper intereſts, and laying before them diuers oppoſitions and croſſes, which he would haue raiſed againſt their proceedings; in caſe they perſiſted in their reſolution, not to reunite themſelues to the Church. But whether thoſe thought to bring about their owne deſignes by perſeuering, or preferred the preſeruation of their Religion, before all other intereſt, the perſwaſions, though very potent, produced none effect. Neither could the Emperour obtaine of them, to graunt the exerciſe of the Roman religion within their territories, vntill the time of the Councell, which hee promiſed ſhould bee intimated within ſixe moneths, becauſe the Proteſtants had diſcouered that this was the inuention of the Popes Legate, who not being able to obtaine his purpoſe for the preſent, thought it ſufficient, if, by the eſtabliſhing the Roman doctrine in euery place, he put confuſion among the people who were alienated alreadie, whereby a way might bee opened to thoſe accidents which might giue occaſion to roote out the

new.

new. For concerning the promiſe, to intimate a Councell within ſixe moneths, he well knew that many impediments might bee pretended in the very nicke, and finally all expectation deluded. 1530 CLEMENT 7 CHARLES 5.

It being impoſſible to conclude any thing, the Proteſtants departed in the end of October, and the Emperour made an Edict, to eſtabliſh the ancient rites of the Roman Catholike religion; which contained in ſumme, that nothing ſhould bee changed in the Maſſe, in the Sacrament of confirmation and extreame vnction, that the images ſhould not bee taken out of any place, and thoſe reſtored that were taken away alreadie, that it ſhould not be lawfull to denie free-will, nor to hold opinion, that onely faith doeth iuſtifie, that the Sacraments, Ceremonies, Rites, Obſequies of the dead, ſhould bee obſerued in the ſame manner they were before, that Benefices ſhould bee giuen to fit perſons, and that the married Prieſts ſhould forſake their wiues, or bee baniſhed, all ſales of Church goods, and other vſurpations made voide, that in preaching and teaching, no man ſhould paſſe theſe tearmes, but the people ſhould bee exhorted to heare Maſſe, to inuocate the Virgin *Mary*, and the other Saints, to obſerue the feaſts and faſtings, that the Monaſteries, and other ſacred Edifices, which haue beene deſtroyed, ſhould bee rebuilt, and the Pope ſhould bee requeſted to intimate a Councell within ſixe moneths, in a conuenient place, and after to beginne it within a yeere at the moſt, that all things remaine firme and conſtant, and no appeale or exception to the contrarie take place, and that euery one ought to imploy all his forces, poſſeſſions, life, and blood, to preſerue this Decree, and that the Imperiall Chamber proceed againſt whoſoeuer ſhall oppoſe it. HENRY 8. FRANCIS 1. The Edict of Ausburg.

The Pope hauing receiued aduiſe from his Legat, of what was done in the Diet, was touched with an inward griefe of minde, diſcouering that, though *Charles* had receiued his counſell, by vſing his authoritie, and threatning violence, yet he had not proceeded as aduocate of the Church of *Rome*, vnto whom it belongeth not to take knowledge of the cauſe, but to bee a meere executor of the Popes Decrees: whereunto was quite contrarie to haue receiued the confeſſions, and cauſed them to bee read, and to haue inſtituted a conference to accord the differences. Hee complained beyond meaſure, that ſome points were agreed vnto, and eſpecially that hee had conſented to the abolition of ſome rites; thinking that the Popes authoritie was violated, when things of ſo great moment were treated of, without his priuitie: at the leaſt if his Legates authoritie had beene interpoſed, it had beene tollerable. After hee conſidered that it was a great preiudice to him, that the Prelates had conſented to it. But the promiſing of a Councell, which hee ſo much abhorred, preſſed him aboue all: in which, though honourable mention were made of his authoritie, yet to preſcribe ſixe moneths, to call it, and a yeere to beginne it, was to meddle with that which was proper to the Pope, and to make the Emperor the principall, and the Pope his miniſter. By the obſeruation of theſe beginnings, hee concluded that there was little hope in the affaires of *Germanie*, and that hee was to thinke of a defenſiue, that the diſeaſe might not paſſe to other parts of the bodie of the Church. And becauſe that which was paſt, could not bee vndone, hee thought it not wiſedome

The Pope was diſpleaſed with the Emperour for medling in religion, but eſpecially for promiſing a Councell.

Pall. 1531 wisedome to shew it was done against his will, but to make himselfe the author of it, that hee might receiue a lesse blow in his reputation.

CLEMENT 7. CHARLES 5. HENRY 8. FRANCIS 1.

Therefore he gaue an account of the things past to all Kings and Princes, dispatching his letters the first of December, all of the same tenour, that hee hoped the Lutheran heresie might be extinguished by the presence of the Emperour, and that principally for that cause he went to *Bolonia* to intreat him for it, though he knew that of himselfe he was very wel affected that way. But hauing receiued aduice from the Emperour, and from his Legat *Campeggio*, that the Protestants are become more obstinate, hee hath communicated the whole to the Cardinals, and, together with them, seeth clearely, that there remaineth no other remedie, but that which hath beene vsed by his predecessors, that is, a generall Councell. Therefore hee exhorteth them to assist in the Councell that shall bee called, either in person, or by their Ambassadours; a thing so holy, that hee is resolued to put it in execution, so soone as it is possible, intimating a generall and free Councell, in some fitte place in *Italie*. The Popes letters were knowen to the whole world, because his ministers endeuoured in euery place to giue notice of them vnto all: not because the Pope or the Court desired to applie their mindes to a Councell, from which they were most auerse, but to entertaine the world, that by expectation of the remedie of the abuses and inconueniences, they might remaine constant in obedience. Yet few were deceiued; for it was not hard to discouer, that to desire Princes to send Ambassadours to a Councell, whereof neither time, nor place, nor manner was resolued on, was too much affected preuention.

He writeth to al Princes that he would call a Councell, though he neuer meant it.

And his collusion is discouored by many.

1531 The Protestants doe write likewise to all Princes.

But the Protestants also tooke occasion by these letters to write likewise to the Kings and Princes: and the next yeere in February they framed a letter to euery one vnder a common name of all, of this tenour. That the olde complaint of pious men against the vices of the Clergie, noted by *Iohn Gerson*, *Nicolas Clemangis*, and others in *France*, and of *Iohn Collet* in *England*, and of others elswhere, was knowen vnto their Maiesties, which also happened in *Germanie* in these last yeeres, by occasion of the detestable & infamous gaine which some Friars made by publishing Indulgences. And passing from this to relate whatsoeuer happened vntill the last Diet, they said that their aduersaries endeuoured to incite the Emperour and other Kings against them, vsing diuers calumnies; which as they haue withstood in *Germanie*, so they will more easily confute in a generall Councell of the whole world; whereunto they will referre themselues, so that it may be such a one, in which preiudices and passion may take no place. That amongst the Calumnies laid vpon them, this is the principall, that they condemne all Magistrates, and vilifie the dignitie of lawes: which is not onely not true, but, as they haue shewed in the Diet of *Augusta*, their doctrine honoureth Magistrates, and defendeth the strength of Lawes, more then euer hath been done in other ages, teaching Magistrates that their state and kinde of life is most acceptable to God, and preaching to the people, that they are bound, by Gods commandement to giue honour and obedience to them, and that he will not leaue vnpunished the disobedient, because the Magistrate hath his gouernement by diuine ordination. That they haue desired to signifie these things

to

to them, Kings, and Princes, for cleering of themselues before them, praying them not to beleeue the calumnies; and to suspend their iudgements, vntill those that are accused haue place to acquite themselues publiquely. And therefore they will desire the Emperour that hee would call a godly and free Councell in *Germanie*, as soone as might bee, and not vse force, vntill the matter bee disputed, and lawfully defined. 1531 CLEMENT 7. CHARLES 5. HENRY 8. FRANCIS 1.

The French King answered with very courteous letters, in substance, giuing them thankes for communicating vnto him a businesse of so great weight: hee shewed them that he was glad to vnderstand of their innocencie, and did approoue the instance they made, that the vices might bee amended, wherein they shall finde his will to concurre with theirs: that their requiring of a Councell was iust and holy, yea, necessary, not onely for the affaires of *Germanie*, but of the whole Church: that it was not honest to vse armes, where the controuersies may bee ended with treaties. The letters of the King of *England* were of the same tenour, but that hee declared in particular, that himselfe also desired a Councell, and that hee would mediate with *Charles*, to find out a meanes of composition. The answere of the French King to the Protestants. The answere of the King of *England*.

The Emperours Decree being knowen throughout all *Germanie*, they began immediatly to accuse the professors of the new Religion, in the chamber of *Spira*, some for zeale, others for reuenge, and some also to possesse the goods of their aduersaries. Many sentences were made, many declarations, and many confiscations against Princes, Cities, and priuate men, and none tooke place, but some against priuate men, whose goods were within the territories of Catholiques. By others the sentences were contemned, with great diminution of the honour, not onely of the Chamber, but of the Emperour also; who soone perceiued that the remedie was not fitted to the maladie, which increased dayly. For the Protestant Princes and Cities (besides that they esteemed little the iudgements of the Chamber) combined themselues together, prepared for their defence, and fortified themselues with forraine intelligences: so that it appeared, that in case things went on, a warre would arise, dangerous for both parties, and, whatsoeuer the issue was, pernicious for *Germanie*. Wherefore hee was willing that some Princes should interpose, and find out a way of agreement. To this end many heads and conditions of composition were negotiated all this yeere 1531. and to giue them some conclusion, a Diet at *Ratisbon* was appointed for the next yeere. Sentences were made in the chamber of *Spira*, against the Protestants, and contemned.

In the meane space, all things remained full of suspitions, and the diffidences betweene the one part and the other, rather increased. And this yeere also, there happened a noteable euent among the Suisses, which composed the disputes betweene them. For though the controuersie in religion, betweene *Zuric*, *Berne*, and *Basil* on the one side, and the Popish Cantons on the other, was often composed, by the mediation of diuers, yet at that time the hatred was great betweene them; and new causes of distasts arising dayly, the contentions were often renewed. And this yeere they were greatest of all, those of *Zuric* and *Berne* attempting to hinder the victualling of fiue Cantons, which caused both parties to arme. With those of *Zurie*, *Zuinglius* tooke armes, though his friends perswaded him to remaine at home, and *Zuinglius* taketh armes, & is slaine.

leaue

1532 leaue that charge to others. Whereunto he would by no meanes yeeld, that hee might not ſeeme to incourage the people in the Church onely, and forſake them in time of danger. The eleuenth of October they came to a ſet battell, in which, thoſe of *Zuric* had the worſt, and *Zuinglius* was ſlaine; for which the Catholikes more reioyced, then for the victorie. They did diuers diſgraces to the corps, and the death of that man was the chiefeſt cauſe of a new compoſition betweene them, both the parties retaining their owne religion. The fiue Catholike Cantons aſſured themſelues, that, hee being remooued, who, by his Sermons changed religion in the Countrey, all would returne to the old. In which hope, they were confirmed the more, becauſe *Ecolampadius*, a Miniſter in *Baſil*, of the ſame opinion with *Zuinglius*, died within a few dayes after with griefe, for the loſſe of his friend, the Catholikes attributing the death both of the one and the other, to the prouidence of God, who, compaſſionating the Heluetians, had puniſhed and taken away the Authours of their diſcord. Surely it is a pious and religious thought, to attribute the diſpoſition of euery euent, to the prouidence of God: but to determine to what end thoſe euents are directed by that high Wiſedome, is not farre from preſumption. Men are ſo ſtraightly and religiouſly wedded to their owne opinions, that they are perſwaded that God loueth and fauoureth them, as much as themſelues. But the things that happened afterwards, ſhewed that the Cantons, called Goſpellers, made greater progreſſe in the doctrine receiued, after the death of theſe two: a manifeſt argument, that it came from a higher cauſe then the labours of *Zuinglius*.

CLEMENT 7. CHARLES 5. HENRY 8. FRANCIS 1.

Which death cauſed a compoſition betweene the Cantons.

And manner *Ecolampadius* die with griefe.

1532 An agreement betweene the Proteſtants and the others, was negotiated in *Germanie*, by the Electors of *Ments* and the Palatine, and many writings were made and changed, becauſe they gaue not full ſatisfaction to either of the parties. This made the Emperour reſolue, that a Councell was exceeding neceſſarie; and, hauing imparted his opinion to the French King, he ſent one to *Rome* by poſt, to treat thereof with the Pope and Colledge of Cardinalls. The Emperour made none account of the place preſcribed, nor of any other ſpeciall condition, in caſe *Germanie* were ſo ſatisfied that the Proteſtants would bee preſent, and ſubmit themſelues, which ſatisfaction, the King alſo thought to bee iuſt, and offered to ioyne with him. The Ambaſſage was deliuered to the Pope in theſe tearmes, that the Emperor hauing vſed all meanes to reunite the Proteſtants to the Church, by imploying authoritie, threats, treaties, and iuſtice alſo, nothing now remaining, but either warre, or a Councell, in regard he could not take armes, by reaſon of the Turkes preparations againſt him, hee was conſtrained to take the other reſolution, and therefore did beſeech his Holineſſe, that, imitating his predeceſſours, hee would bee content to graunt a Councell, whereunto the Proteſtants would ſubmit themſelues without difficultie, hauing offered diuers times to ſtand to the determination of one that is free, in which the iudges might bee men without partialitie. The Pope, who by no meanes would haue a Councell, hearing the requeſt, and not being able to giue a plaine negatiue, made a grant, but ſo as that hee knew it would not bee accepted. For the place hee propoſed one of the Cities of the Churches ſtate, naming *Bolonia*, *Parma*, or *Piacenza*, cities capable to receiue and feede a multitude, healthfull, with a large territorie round

An agreement betweene the Proteſtants and the Catholikes was negotiated, but could not be effected.

The Emperor doth ſeriouſly negotiate a Councell.

The Pope conſenteth to the Councell vpon ſuch a condition as he knew would not be accepted.

round about: whither the Proteſtants ought not to make difficultie to goe, becauſe they ſhould bee heard: vnto whom hee would giue a full and ample ſafe-conduct, and himſelfe would be there in perſon, that euery thing might bee handled with Chriſtian peace, and no man wronged. That hee could by no meanes conſent to celebrate it in *Germanie*, becauſe *Italie* would not indure to be neglected, and *Spaine* and *France*, who in Eccleſiaſticall matters yeeld vnto *Italie*, for the prerogatiue of the Papacie, which is proper vnto it, would not giue place vnto *Germanie*, and the authoritie of that Councell would be little eſteemed, where onely Dutch-men were preſent, and ſome few of another nation. For vndoubtedly the Italians, French-men, and Spaniards would not bee induced to goe thither. The medicine is not in the power of the ſicke, but of the Phyſitian. Therefore *Germanie*, corrupted with the multiplicitie and varietie of opinions, could not giue right iudgement in this ſubiect, as *Italie*, *France*, and *Spaine*, which are vncorrupted as yet, and wholly perſeuere in ſubiection to the Apoſtolicall Sea, which is mother and miſtris of all Chriſtians. For the manner of defining things in the Councell, the Pope ſaid there needed no words, becauſe no difficultie could ariſe therein, except they would make a new forme of a Councell, neuer vſed in the Church. That it was manifeſt, that none had voice in a Councell, by right of the Canon, but Biſhops, and Abbats by cuſtome, and ſome others by the Popes priuiledge: the others that deſire to bee heard, ought to ſubmit themſelues to the determination of theſe; euery Decree being made in the name of the Synod, if the Pope bee not preſent in perſon: but when hee is there, euery Decree paſſeth vnder his name, onely with the approbation of the Fathers of the Synod. The Cardinalls likewiſe ſpake in the ſame key, but alwayes interpoſed ſome reaſon, to ſhew that a Councell was not neceſſarie, ſo long as the determination of *Leo* ſtood in force, which being executed, all would bee remedied; and hee that will not referre himſelfe to the determination of the Pope, eſpecially accompanied with the counſell of the Cardinalls, will much more deſpiſe all Conciliarie Decrees. That it was manifeſt that the Proteſtants call not a Councell, but onely to gaine time, and to hinder the execution of the Edict of *Wormes*. For they well know that the Councell cannot chooſe but approoue that which *Leo* hath determined, except they would bee a conuenticle, or vnlawfull aſſembly, as all thoſe bee, who haue ſeparated themſelues from the doctrine and obedience of the Pope.

1532
CLEMENT 7
CHARLES 5.
HENRY 8.
FRANCIS 1.

The Cardinals will not beleeue that a Councell is neceſſarie.

The Emperors Ambaſſadour, to finde out a meane, had many audiences with the Pope, and with two Cardinalls, deputed by him ouer this matter. Hee put him in minde, that neither hee, nor *France*, nor *Spaine*, had neede of a Councell, nor did deſire it; and that therefore it was to no purpoſe to haue reſpect vnto them: that it was ſought for, to cure the diſeaſes of *Germanie*, vnto which, becauſe it ought to bee proportionated, it was fit to chooſe a place, where all that Nation might bee preſent. That, for other Countreys, the principall ſubiects were ſufficient, becauſe nothing was to bee handled concerning them; that the Cities propoſed, were in all reſpects exceeding fit, but onely that they were farre diſtant from *Germanie*; and though the ſafe conduct of his Holineſſe ought to ſecure euery one, yet the Proteſtants were

The Emperors Ambaſſadour laboureth to perſwade the Pope to chooſe a place in *Germanie* for the Councell, but cannot obtaine it.

1532
CLEMENT 7.
CHARLES 5.
HENRY 8.
FRANCIS 1.

ſuſpicious, for diuers reaſons, both olde, and new; amongſt which, they eſteemed not the leaſt, that *Leo* the tenth, his couſin, had condemned them alreadie, and declared them heretikes. And although all their reaſons are reſolued with this onely, that euery one ought to relie vpon the Faith of the Pope, yet his Holineſſe, by his great wiſedome and experience, might know that it was neceſſarie to yeeld to the imperfection of others, and for pitie, to accommodate himſelfe to that, which though in rigour is not due, yet in equitie is conuenient. And concerning the deliberatiue voyces of the Councell, hee diſcourſed, that they being brought in, partly by cuſtome, and partly by priuiledge, a large field was opened vnto him, to exerciſe his benignitie, by introducing another cuſtome, more fit for the preſent times. For if the Abbots were formerly admitted by cuſtome, becauſe they were more learned and intelligent in religion, it is reaſon to grant the ſame now, to perſons of equall or greater learning, though they haue not the title of Abbats. But the priuiledge miniſtreth matter to giue ſatisfaction vnto all. For by granting the ſame priuiledge to euery one that is able to doe God ſeruice in that congregation, there will bee a Councell exactly pious and Chriſtian, ſuch as the world deſireth. Vnto theſe reaſons anſwere being made, with the motiues before named, the Emperour could obtaine nothing of the Pope; whereby the buſineſſe remained vnperfect for that time, and the Emperour applied himſelfe to ſollicite the treatie of peace alreadie begun: which being brought to a good concluſion, and the Turkiſh warre drawing neere, at the laſt a compoſition was publiſhed the three and twentieth of Iulie, that there ſhould bee common and publike peace betweene the Emperours Maieſtie, and all the States of the Empire of *Germanie*, as well Eccleſiaſticall as ſecular, vntill a generall, free, and Chriſtian Councell, and in the meane ſpace, that none ſhould make warre againſt another for cauſe of religion, nor take ſpoile, or beſiege him, but that there ſhould bee true amitie, and Chriſtian vnitie amongſt all. That the Emperour ſhould procure the intimation of the Councell, within ſixe moneths, and the beginning within a yeere; Which if it bee not poſſible, all the States of the Empire ſhould bee called together, to reſolue of what is fit to be done, as well for the Councell as for other neceſſarie things. That the Emperour ſhould ſuſpend all the iudiciall proceſſes, in cauſe of religion, made by his Fiſcall, or others, againſt the Elector of *Saxonie*, and his adherents, vntill the future Councell, or the forenamed reſolution of the States.

Who ought to haue voices in Councell.

A peace of religion concluded in *Germanie*, Iuly 23. called the *Interim*.

On the other ſide, the Elector of *Saxonie*, and the other Princes and Cities, ſhould promiſe faithfully to obſerue this publique peace, to giue due obedience to the Emperour, and conuenient ayde againſt the Turke. This peace the Emperour ratified, and confirmed by his letters, dated the ſecond of Auguſt, and ſuſpended alſo all proceſſes, promiſing to doe his endeuour for the calling of a Councell within ſixe moneths, and for the beginning of it within a yeere. Hee gaue alſo an account to the Catholike Princes, of the ambaſſage ſent to *Rome*, for that end, adding that ſome difficulties of weight could not as yet bee accorded, concerning the manner and place. But he would continue his endeuours that they ſhould be reſolued, and that the Pope ſhould grant the conuocation; hoping that hee would not be wan-

The Emperor promiſeth the calling of a Councel within 6. moneths.

ting

ting to the neceſſitie of the Common-wealth, and his owne dutie: but in caſe this ſucceeded not, hee would intimate another Diet to finde a remedie herein. 1532 CLEMENT 7. CHARLES 5.

This was the firſt libertie of Religion, which thoſe that adhered to *Luthers* confeſſion, called the Auguſtan, obteined by publique decree: whereof the world talked diuerſly. At *Rome* the Emperor was reprehended, for putting his ſickle (as they ſayd) into another mans haruеſt, euery Prince being obliged, by the ſtricteſt bonds of cenſures, to the extirpation of thoſe that are condemned by the Pope: wherein they ought to ſpend their goods, ſtate, and life: and the Emperours much more, becauſe they doe ſo ſolemnly ſweare vnto it. This not being performed by *Charles*, an example not heard of, there was cauſe to feare a ſudden reuenge from heauen. But others commended the pietie and wiſedome of the Emperour, who laboured more to preuent the danger, imminent to Chriſtendom, by the armes of the Turke, a direct oppoſer of Religion; againſt whom hee could not haue made reſiſtance without ſecuring the Proteſtants, who are Chriſtians too, though diſſenting from others, in ſome particular rites, which is a tolerable difference. That the *Maxime*, ſo renowned in *Rome*, that it is more meete to perſecute heretikes, then infidels, was wel fitted to the Popes dominion, but not to the benefit of Chriſtendome. Some alſo, not regarding the Turkes, ſaide that Kingdomes and Principalities, ought not to bee gouerned by the lawes and intereſts of Prieſts, who are more partiall, for their owne greatneſſe, and profits, then any other, but according to the exigence of the publike good, which requireth now and then, the tolerating of ſome defect. That it was the dutie of euery Chriſtian Prince, to indeuoure equally, that his Subiects maintaine the true faith, as alſo that they obſerue all the Commandements of God, and not this, more then that. But when a vice cannot bee rooted out, without the ruine of the State, it is acceptable to the Maieſtie of God to permit it: neither is the obligation greater to puniſh heretikes, then fornicators; who if they bee tolerated, for publike quiet, it is no greater inconuenience if thoſe bee permitted, who defend not all our opinions. And though it bee not eaſie to alleadge examples of Princes, which haue done this within theſe 800. yeeres, yet hee that will conſider the times before, will ſee it done by all, and laudably too, when neceſſitie hath required. If *Charles* hauing attempted to compoſe by all meanes the differences in religion, hath not beene able to bring any thing to paſſe, who can reprehend him, if, to try what can bee done by a Councell, he hath eſtabliſhed peace in the meane time in *Germanie*, that he may not ſee her ruine? None knoweth how to gouerne a territorie, but the Prince himſelfe, who alone knoweth all the neceſſities of it. Hee will ouerthrow his State, whoſoeuer will gouerne with reſpect vnto the intereſts of others, and it would bee to as much purpoſe to gouerne *Germanie*, as the Romans deſire, as to gouerne *Rome*, as the Dutchmen pleaſe.

HENRY 8. FRANCIS 1.

The firſt libertie of the Auguſtan confeſſion.

No man that ſhall reade this occurrence, ought to meruaile, if theſe and many more diſcourſes did runne in the minds of men, it being a thing which did inwardly touch them. For the caſe was, whether euery Chriſtian Country ought to bee gouerned, according to its owne neceſſitie and profit, or

The Romaniſts would haue euery country gouerned according to their intereſts.

1533 CLEMENT 7. CHARLES 5. HENRY 8. FRANCIS 1.

was a ſlaue of one onely Citie, to maintaine the commodities whereof, all others ſhould ſpend themſelues, and become deſolate. The times following haue taught, and will teach perpetually, that the Emperours reſolution was conformable to the lawes of God and man. The Pope, who was more troubled herein then all others, as one who was moſt intelligent in State affaires, ſaw very well that hee had no reaſon to complaine; but he concluded herewithall, that his intereſts could not concurre with thoſe of the Emperour, and therefore his minde was wholly aliened from him.

The Pope is aliened again from the Emperour.

The Turke being chaſed out of *Auſtria*, the Emperor paſſed into *Italy*, & had conference with the Pope, in *Bolonia*, where they treated of all the common affaires: and though the league was renewed betweene them, yet the Pope was not fully ſatisfied, both for the libertie of Religion granted in *Germanie*, as hath been ſaid, and becauſe they agreed not concerning the Councell. The Emperor perſeuered in demanding ſuch a Councell, as might cure the maladies of *Germany*, (in conformity to his Ambaſſadors propoſition the yeere before) which was impoſſible if the Proteſtants had no part therein. The Pope continued in his reſolution, not to admit of a Councell by any meanes, but in caſe of neceſſitie, and which ſhould not be celebrated out of *Italy*, and wherein none ſhould haue a deliberatiue voice, but thoſe vnto whom the Popes lawes did allow it. The Emperor would haue condeſcended to the Popes will, if there had been means to giue the Proteſtants contentment; wherein that he might giue his Holineſſe certaine information, he propoſed vnto him that he ſhould ſend a Nuncio into *Germany*, & himſelfe an Ambaſſador, to find out a forme & temper for theſe difficulties; promiſing that his Ambaſſador ſhould gouerne himſelf as the Nuncio would. The Pope accepted the match, though he were fully ſatisfied of the Emperor, aſſuring himſelfe, that in caſe the negotiation of both thoſe miniſters had taken none effect, *Charles* would haue gone about to haue giuen *Germanie* ſatisfaction; and from that time *Clement* reſolued to make a ſtraight aliance with *France*, to be able, by that meanes, to hinder whatſoeuer the Emperour ſhould propoſe.

The league is renewed betweene them, but ſuſpicions remain in the Popes mind.

The Pope & Emperour reſolue to ſend a Nuncio and an Ambaſſador into *Germany*.

The Pope reſolueth to make an aliance with *France*, to bee able to withſtand the Emperour.

1533 The Pope after Eaſter 1533. ſent *Hugo Rangone*, Biſhop of *Rheggio*, to execute the propoſition accepted by him: who comming with the Emperors Ambaſſador to *Iohn Frederic*, Elector of *Saxony*, (who had ſucceeded his deceaſed father a few moneths before) as chiefe of the Proteſtants, declared his commiſſion; that *Clement* from the beginning of his Papacie, had alwayes an extraordinary deſire to compoſe the differences in Religion, ſprung vp in *Germany*, and for that end had ſent thither many learned perſons; and though their paines tooke not effect, the Pope notwithſtanding had hope, that at the Emporours going thither after his coronation, all would be brought to perfection. But hauing not obteined the end he deſired, the Emperor returned into *Italy*, and ſhewed him that there was no fitter meanes then a generall Councell, which the Princes of *Germany* deſired alſo. With which the Pope being well pleaſed, as well for the publique good, as to giue the Emperour contentment, had ſent him, to agree with them, concerning the manner of the future Councell, and of the time and place. And for the forme and order thereof, the Pope propoſed ſome neceſſary conditions.

The firſt, that it ſhould bee free and generall, as the Fathers were wont

to

to celebrate it in former times. Then, that those that demand a Councell, should promise and giue assurance to receiue the decrees that shall be made. For otherwise it would bee labour in vaine, it being to no purpose to make lawes, which would not be obserued. Thirdly, that he that could not be present should send Ambassadors to make promise, & put in caution. After this, that it was necessary that, in the meane while, all things remained as they are, and that no innouation were made before the Councel. The Nuncio added, that for the place the Pope had had long, frequent, and great consideration. For it was necessary to prouide one that should bee fertill to afforde victuals to so famous a concourse, and of an healthfull aire too, that the progresse may not bee hindered by sickenesse. And in conclusion *Piacenza*, *Bolonia*, or *Mantua* seemed vnto him very commodious, leauing it to the choice of *Germanie* to elect which of these places they would. But he added that if any Prince would not come, or not send Ambassadours, it would be iust for all the others to defend the Church. In the end hee concluded, that if *Germanie* would giue a fit answere to the propositions, the Pope would immediatly treate with other Kings, and would intimate the Councell within sixe moneths, to begin a yeere after, that prouision of victuals might be made, and that all, especially the farthest distant, might prepare themselues for the voyage.

1533
CLEMENT 7.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The conditions of the Councell required by the Pope.

Places for the Councel proposed by the Nuncio.

The Nuncio gaue vp his proposition in writing, and the Emperours Ambassadour made the same negotiation with the Elector; who, hauing required time to answere, the Nuncio was infinitely pleased. For hee desired nothing but delay, and tooke the answere for a presage of the happie successe of the businesse: and hee could not refraine to commend him, for not being too hastie in a deliberation which deserued time. Yet the Elector answered within few dayes, that hee was very glad that the Emperour and the Pope were resolued to call a Councell, where, according to promise, oftentimes made vnto *Germanie*, the controuersies might lawfully be handled, by the rule of the word of God. That himselfe for his owne part, would willingly make present answere to the things proposed; but because there are many Princes, which haue receiued the same confession in the Diet of *Ausburg* it was not fit, nor profitable for the cause, to answere alone: but an assembly being intimated against the 24. of Iune, hee desired hee would bee contented to grant this short delay, that he might receiue a more common, and resolute conclusion. The ioy and hope of the Nuncio was much increased, who desired the delay had been rather of yeeres then moneths. But the Protestants, assembled at the aforesaid time in *Smalcalde*, answered, thanking the Emperor, that, for the glory of God, and safety of the commonwealth, hee had taken paines to cause a Councell to bee celebrated: which would bee in vaine, if conditions were not obserued, necessary for the curing of the diseases of *Germany*; which desireth that her controuersies may be defined with due order: and hopeth to obtaine it, for that the Emperour hath in many imperiall Diets promised such a one, which, by the mature deliberation of the Princes and States, hath been resolued should be celebrated in *Germany*; in regard that many errours being reuealed, by occasion of the Indulgences, published in Sermons, Pope *Leo* condemned the doctrine

The Emperors Ambassidour maketh the same negotiation.

The Nuncio is pleased with the delatory answere.

The answere of the Protestants assembled in *Smalcalda*.

1533
CLEMENT 7.
CHARLES 5.
HENRY 8.
FRANCIS 1.

and the Doctors, who discouered the abuses. But that sentence was opposed by the testimonies of the Prophets and Apostles. Whence did arise the controuersie, which cannot be decided but in a Councell, where the Popes sentence, or the power of whosoeuer, may not preiudice the cause, and where iudgement may bee giuen, not according to the Popes lawes, or opinions of the Schooles, but according to the holy Scripture. If this bee not performed, this so great a labour would bee taken in vaine, as may appeare by the examples of some other Councels, celebrated before.

And their exceptions against the propositions of the Pope.

Now the propositions of the Pope were contrary to this end, to the petitions of the Diet, and promises of the Emperour. For though hee propose a free Councell in words, yet in effect hee would haue it tied, so that vices and errors may not be reprehended, and himselfe may maintaine his power. That that was not a reasonable demand that any man should bind himselfe to obserue the decrees, before he know by what order, maner, or forme they are made, whether the Pope desire to haue the supreme authoritie in him, and his; whether hee will haue the controuersies discussed according to holy writ, or according to humane lawes and traditions. That that clause also seemed captious, that the Councell should bee made according to the old custome. For it being vnderstood of that old, when all was determined by the holy Scriptures, they would not refuse it. But the Councels of the next preceding age were much different from the other that were more ancient, where too much was attributed to the Decrees of Popes, and other men. That the propose was glorious, but it tooke absolutely away the libertie which was demanded, and was necessary for the cause. That they desired the Emperour to be a meanes that all might passe lawfully. That all men were in attention, and stood in hope of a Councell, and demanded it with vowes and prayers, which would be turned into great sorrow and vexation of mind, if this expectation should bee deluded, by giuing a Councell, but not such a one as is desired and promised. That there is no doubt but that all the States of the Empire, and other Kings and Princes also will be of the same opinion, to auoid those snares and bonds, with which the Pope thinketh to binde them in a new Councell: to whose will if the managing of the affaires shall be permitted, they will referre the whole to God, and thinke of what they haue to doe. Yet for all this if they shall bee cited, with good and lawfull assurance, in case they see themselues able to doe some thing for the seruice of God, they will not refuse to appeare; but with condition, not to consent to the Popes demands, nor to a Councell which is not conformable to the Decrees of the imperiall Diets. In the end they prayed the Emperour not to take their resolution in ill part, and to endeuour that the power of those be not confirmed, who long since haue waxed cruell against the innocent.

The Protestants resolued, not onely to send the answere to the Pope, and the Emperour, but to print it also, together with the Nuncio his propositi-

The Pope recalleth *Hugo Rangone* B. of *Rheggio*, his Nuncio, and putteth *Vergerius* in his place.

on, which by the same Pope was iudged indiscreete, and too open. Therefore vnder colour that he was old and vnable to beare that charge, he recalled him, and wrote to *Vergerius*, Nuncio with King *Ferdinand*, that he should take vpon him that place, with the same instructions, admonishing him to remember

member not to ſwarue by any meanes from his will, nor to giue eare to any moderation, though the King deſire it, that vnaduiſedly he caſt him not into ſome ſtrait, and conſtraine him to call a Councell, which was not profitable for the Church, nor for the Apoſtolicall Sea. 1534 CLEMENT 7. CHARLES 5. HENRY 8. FRANCE.

While theſe things were in handling, the Pope, who foreſaw the anſwere which would come out of *Germanie*, and before in *Bolonia* had conceiued but ſmall confidence in the Emperor, wholly aliened himſelfe from his friendſhip. For in the cauſe of *Modena* and *Rheggio*, betweene his Holineſſe and the Duke of *Ferrara*, referred to him by the parties, hee pronounced for the Duke. For all which cauſes, the Pope negotiated a confederation with the French King; the which was concluded, and eſtabliſhed alſo by the mariage of *Henry* the Kings ſecond ſonne, with *Catharine de Medici*, the Popes great grandchild. And to giue a compleat perfection to the whole buſineſſe, hee went to *Marſeilles* in perſon, to ſpeake with the King. But vnderſtanding that this iourney was reprehended by all, as not addreſſed to any publike reſpect, but onely to make his houſe great, hee iuſtified himſelfe, by ſaying hee vndertooke it, to perſwade him to fauour the Councell, and to aboliſh the Lutheran hereſie. And tis true that there, beſide other treaties, hee perſwaded his moſt Chriſtian Maieſtie, to deale with the Proteſtants, eſpecially with the Landgraue of *Haſsia*, who was to come to him into *France*, to cauſe them to deſiſt from demanding a Councell, propoſing vnto them, that they would ſeeke out any other way to accommodate the differences, and promiſing his owne faithfull and effectuall helpe, when time ſhould ſerue.

The confederatiō between the Pope and the French K. is confirmed by mariage.

The King did thus negotiate, but could obtaine nothing. For the Landgraue alleadged, that there was no other meanes to hinder the deſolation of *Germanie*, and that not to ſpeake of a Councell, was willingly to runne into a ciuill warre. In the ſecond place, the King treated with them, that they would bee contented with a Councell in *Italie*. But neither did the Germans agree vnto this; for they ſaide that this match was worſe then the firſt: becauſe that conſtrained them onely to make warre, but this caſt them into a ſeruitude both of bodie and ſoule: whereunto reſiſtance could not be made, but by a Councel, in a free place: yet condeſcending for his Maieſties ſake, to whatſoeuer they were able, they would ceaſe to demand to haue it celebrated in *Germanie*, ſo that another free place were appointed, out of *Italie*, though it were neere vnto it.

The French King treateth with the Landgraue of *Haſſia*, at the Popes requeſt about the Councell.

In the beginning of the yeere 1534. the King gaue the Pope an account of what hee had done, and offered to bring to paſſe, that the Proteſtants ſhould bee contented with *Geneua*. The Pope hauing receiued the aduiſe, was vncertaine, whether the King, though his confederate and kinſman, would bee glad to ſee him in troubles, or if, in this particular, hee wanted that diſcretion which hee ſhewed in other affaires: But hee concluded, that it was not good to vſe him in this matter. And writing vnto him, thanked him for his paines, without anſwering to the particular of *Geneua*: and hee incouraged many of the Courtiers, whoſe mindes were troubled, aſſuring them, that by no meanes hee would conſent to ſuch a folly. 1534

The Pope is diſpleaſed with the Propoſe of *Geneua* for the place of the Councell.

But this yeere the Pope, in ſtead of regaining *Germanie*, loſt the obedience of *England*, by proceeding rather with choler and paſſion, then with wiſe- — Pall. 162

He looſeth the obedience of *England*.

dome

1534
Clement 7.
Charles 5.
Henry 8.
Francis 1.

dome neceſſarie in ſo great negotiations. The accident was of great importance, and greater conſequence, which to declare diſtinctly, it is neceſſarie to begin from the firſt cauſes, whence it had its originall.

The cauſe.

Catharine Infanta of *Spaine*, ſiſter to the mother of *Charles* the Emperour, was married to *Henry* the eight, *King* of *England*, and was before, the wife of *Arthure*, Prince of *Walles*, *Henryes* eldeſt brother; after whoſe death, their father gaue her in mariage to *Henry*, who remained ſucceſſor, by the diſpenſation of Pope *Iulio* the ſecond. This Queene was withchild often, and alwayes either miſcaried, or brought foorth a creature of a ſhort life, except one only daughter. King *Henry*, either for diſpleaſure againſt the Emperor, or for deſire of iſſue male, or for ſome other cauſe, conceiued a ſcruple in his mind that the mariage was not good; and taking councell of his Biſhops, ſeparated himſelfe from her company. The Biſhops treated with the Queene, that ſhe would bee contented with a diuorce, ſaying that the Popes diſpenſation was neither good nor true. The Queene would not giue eare to them, but had recourſe to the Pope: to whom, the King alſo ſent to craue a diuorce. The Pope, who was ſtill retired in *Oruieto*, and hoped for good conditions in his affaires, if the fauours of *France* and *England*, which ſtill they performed, were continued, by moleſting the Emperour in the Kingdome of *Naples*, ſent into *England* the Cardinall *Campeggio*, delegating the cauſe vnto him, and the Cardinall of *Yorke*. From theſe, and from *Rome*, the King had hope giuen him, that in the end, the ſentence ſhould bee on his ſide: Yea to facilitate the reſolution, that the ſolennities of the iudgement, might not draw the cauſe in length; a briefe was framed, in which, hee was declared free from that marriage, with the moſt ample clauſes, that euer were put into any Popes Bull, and a Cardinall ſent into *England*, with order to preſent it, after ſome few proofes were paſt, which hee was ſure would eaſily bee made. And this happened in the yeere 1524. But *Clement*, iudging it fitter for compaſsing his deſignes vpon *Florence*, as hath beene declared in its proper place, to ioyne himſelfe with the Emperour, then to continue in the friendſhip of *France* and *England*, in the yeere 1529. hee ſent *Francis Campana* vnto *Campeggio*, with order to burne the Briefe, and to proceede ſlowly in the cauſe. *Campeggio* began firſt to draw the cauſe in length, and after, to make difficultie of performing the promiſes made to the King. Whereby beeing aſſured that the iudge and his aduerſaries did collude, hee ſent to the Vniuerſities of *Italie*, *France*, and *Germanie*, for a conſultation in his cauſe; where amongſt the Diuines, ſome were contrarie, and ſome fauourable to his pretenſion. The greater part of the Pariſians were on his ſide, and ſome beleeued, that the Kings giftes more perſwaded them, then reaſon.

The Cardinals *Campeggio* & *Wolſie* were delegated by the Pope to heare the cauſe of the Kings diuorce

The Pope cauſed his Briefe which he had made in fauour of the diuorce to be burned.

A conſultation about the cauſe of diuorce.

But the Pope, either to gratifie the Emperour, or for feare, that in *England* by meanes of the Cardinall of *Yorke*, ſomething might happen, not according to his minde, as alſo to giue occaſion to *Campeggio* to part from thence, called the cauſe to himſelfe. The King impatient of delay, either becauſe hee knew their cunning, or for ſome other cauſe, publiſhed the diuorce with his wife, and maried *Anne Bullen* in the yeere 1533. yet ſtill the cauſe depended before the Pope; in which, hee was reſolued to proceede ſlowly, to

The Pope to gratifie the Emperour, recalleth *Campeggio*.

The King marrieth *Anne Bullen*.

ſatisfie

satisfie the Emperour and not offend the King. Therefore some by-points rather were handled, then the merits of the cause. And the disputation grew vpon the Article of the Attentats, in which the Pope gaue sentence against the King; declaring, that it was not lawfull for him, by his owne authoritie, without the Ecclesiasticall Iudge, to separate himselfe from his wife. For which cause, the King, in the beginning of this yeere 1534. denied the Pope obedience, commanding all his Subiects, not to carry any money to *Rome*, nor to pay the ordinarie Peter-pence. This infinitely troubled the Court of *Rome*, and dayly they consulted of a remedie. They thought to proceede against the King with censures, and to interdict all Christian Nations all commerce with England. But the moderate counsell pleased best, to temporize with him, and to mediate a composition by the French King. King *Francis* accepted the charge, and sent the Bishop of *Paris* to *Rome*, to negotiate a pacification with the Pope; where they still proceeded in the cause, but gently, and with resolution, not to come to censures, if the Emperour did not proceede first, or at the same time, with his forces. They had diuided the cause into three and twentie Articles, and then they handled, whether Prince *Arthur* had had carnall coniunction with Queene *Catharine*; in this they spent time vntill mid-lent was past, when, the nineteenth of March, newes came, that a Libell was published in England, against the Pope, and the whole Court of *Rome*, and that besides, a Comedie had beene made in presence of the King and Court, to the great disgrace and shame of the Pope, and of euery Cardinall in particular. For which cause, all being inflamed with choler, they ran headlong to giue sentence: which was pronounced in the Consistorie, the foureand twentieth of the same moneth, that the mariage betweene *Henry* and Queene *Catharine* was good, that hee was bound to take her for his wife, and that, in case hee did it not, hee should be excommunicated.

1534

CLEMENT 7. CHARLES 5.

HENRY 8. FRANCIS 1.

The King causeth the Peter-pence to be denied the Pope.

The Pope was soone displeased with this precipitation. For sixe dayes after, the French King his Letters came, that the King of *England* was contented to accept the sentence concerning the *Attentates*, and to render obedience, with condition, that the Cardinals whom hee mistrusted should not meddle in the businesse, and that persons not suspected, should bee sent to *Cambray* to take information. And the King had sent his Procters before, to assist in the cause at *Rome*. Wherefore the Pope went about to deuise some pretence, to suspend the precipitated sentence, and againe to set the cause on its feete.

But *Henry*, so soone as he had seene it, said it was no matter. For the Pope should bee Bishop of *Rome*, and himselfe sole Lord of his kingdome: and that hee would doe according to the ancient fashion of the Eastern Church, not leauing to bee a good Christian, nor suffering the Lutheran heresie, or any other to bee brought into his kingdome. And so hee did. He published an Edict, wherein hee declared himselfe head of the Church of *England*, and punished capitally, whosoeuer said that the Pope of *Rome* had any authoritie there: hee chased out the Collector of the Peter-pence, and caused the Parliament to approoue all these things: where it was determined, that all Bishoprikes of *England*, should bee conferred by the Archbishop of *Canterbury*,

1534 *bury*, without ſending to *Rome*, and that the Clergie ſhould pay to the King one hundred and fiftie thouſand pounds ſterling yeerely, for the defence of the kingdome againſt whoſoeuer.

CLEMENT 7
CHARLES 5.

HENRY 8.
FRANCIS 1.

This action of the King was variouſly expounded. Some thought him wiſe, for freeing himſelfe from the ſubiection of *Rome*, without any innouation in Religion, and without putting his ſubiects in danger of ſedition, and without referring himſelfe to a Councell, a thing which they ſaw hard to be effected, and dangerous alſo for him, it being impoſſible that a Councell, compoſed of Eccleſiaſticall perſons, ſhould not maintaine the Popes power, which is the maine pillar of their order; becauſe by the papacie it is aboue all Kings, and the Emperour, but without it is ſubiect to them, there being no Eccleſiaſticall perſon that hath ſuperioritie but the Pope. But the Court of *Rome* maintained that it could not be ſaid, that there was no change in Religion, the firſt and principal Article being changed, which is the ſupremacie of the Pope; and that ſeditions would ariſe as well for this only, as for all the reſt. Which the euent ſhewed to bee true. For the King was faine to proceede ſeuerely againſt ſome of his ſubiects, whom he loued and eſteemed. It cannot bee expreſſed what griefe was conceiued in *Rome*, and by all the Clergie, for the alienation of ſo great a Kingdome from the Popes ſubiection: and it diſcouered the imbecility of humane affaires, wherein, for the moſt part, great damages proceed from thoſe things, from which the greateſt benefits were formerly receiued. For by matrimonial diſpenſations, and by ſentences of diuorce, as well granted as denied, the Papacie hath gained much in former times, making the Princes afraid with the name of the Vicar of Chriſt, whom he recompenſed with ſome inceſtuous mariage, or by diſſoluing one to contract another, to vnite ſome other territory to his owne, or drowning the titles of diuers pretendants, making, for this cauſe, ſtraight alliance with them, and intereſting their power to defend that authoritie, without which their actions would be condemned and hindered: yea, intereſting not thoſe princes onely, but all their poſteritie, to maintain their legitimation. But the misfortune which then aroſe, might be aſcribed to the precipitation of *Clement*, who, in this caſe, knew not how to manage his authoritie: and if it had pleaſed God to haue giuen him in this fact the vſe of his vſuall wiſedome, hee might haue gayned much, where now his loſſe was great.

How the actions of K. *Henry* was expounded.

The Popes haue gained much by matrimoniall diſpenſations.

But the Emperour, at his returne into *Germanie*, being informed of the negotiation of the Nuncio *Rangone*, concerning the Councell, wrote to *Rome*, complayning that himſelfe hauing promiſed a Councell to *Germanie*, and treated with the Pope in *Bolonia*, in what ſort the Princes ſhould bee dealt with in this matter, yet the Nuncij of his Holineſſe had not proceeded in that manner that was agreed of, but had ſo treated, that the Proteſtants thought themſelues deluded: praying him in the ende, to finde ſome way to giue *Germanie* ſatisfaction. The eighth of Iune the Emperours letters were read in the Conſiſtorie; and becauſe there came aduice, a little before, that the Landgraue of *Haſſia* had taken the Dukedome of *Wittenberg* from King *Ferdinand*, by force of armes, and reſtored it to the Duke *Vlric*, the lawfull Lord of it, and that *Ferdinand* alſo was inforced to make peace with

with them, many of the Cardinals ſayd, that the Lutherans hauing atchieued ſo great a victorie, it was neceſſary to giue them ſome ſatisfaction, and not to proceede any more by Art, but to make ſome demonſtration of effects, becauſe the Emperour hauing promiſed a Councell, it was neceſſary he ſhould not bee deluded, and ſaid, that if the Pope could not finde a way, there was danger, that his Maieſtie would bee conſtrained to yeeld to ſome other thing of greater preiudice and loſſe to the Church. But the Pope and maior part of the Cardinals, ſeeing it was impoſſible to make the Lutherans accept ſuch a Councell, as might bee ſeruiceable to the Court of *Rome*, and being reſolute not ſo much as to hearken to any ſpeach of making it otherwiſe, they reſolued to anſwere the Emperour, that they knew very well the importance of the times, and what great need there was of a generall Councell: which they were moſt ready to intimate, in caſe it might ſo bee celebrated, that it might produce good effects, as need requireth: but ſeeing new diſcords ariſe betweene him and *France*, diuers open diſſentions betweene other Chriſtian Princes, it was neceſſary they ſhould ceaſe, and mindes ſhould bee reconciled, before the Councel were called. For, during the diſcords, it could not produce any good effect, and now leaſt of all, the Lutherans being in armes, and made proud by the victorie of *Wittenberg*.

1534
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

But it was neceſſary to leaue diſcourſing with the Pope of a Councell: For hee fell into a long and mortall infirmitie, whereof hee died in the end of September, with no ſmall ioy of the Court. For though they admired his vertues, which were a naturall grauitie, exemplary parſimony, and diſſimulation, yet they hated more his auarice, rigiditie, and crueltie, encreaſed, or more manifeſted, after he was oppreſſed by his infirmitie.

Clement the 7. dieth.

In the Vacancies of the Sea, the Cardinals vſe to compoſe certaine capitulations, to reforme the Papall gouernement, which all ſweare to performe, if they ſhall bee aſſumed to the Popedome, though it appeare by all precedent examples, that euery one ſweareth with a mind not to keepe them, in caſe he ſhalbe Pope. For ſo ſoone as he is elected, he ſaith, he could not bind himſelfe, & that he is at liberty, by gaining the Papacie. After the death of *Clement*, the capitulations were ſet downe, according to cuſtom, amongſt which one was, that the future Pope ſhould bee bound to call a Councel within a yere. But the capitulations could not be eſtabliſhed & ſworne, becauſe the ſame day, the 12. of Octob. in which the Conclaue was locked vp, Cardinal *Farneſe* was ſuddenly created Pope, firſt called *Honorius* 5. in the creation, and after in the coronation *Paulus* 3. A Prelate indowed with good qualities, & among all his vertues, made more eſteem of none then of diſſimulatiõ. He being a Cardinall practiſed in ſixe Popedomes, Deane of the Colledge, and much conuerſant in negotiations, ſhewed that he did not feare the Councel, as *Clement* did, but thought it profitable for the Papacie, to make ſhew by all meanes of deſiring it, being aſſured that hee could not bee enforced to call it in ſuch manner, and in ſuch a place where hee could haue no aduantage, and when there was cauſe to hinder it, the contradiction which the Court and Clergie would make, was ſufficient. He thought alſo that this might ſerue to maintaine peace in *Italy*, which he eſteemed very neceſſary, that hee might gouerne

Capitulations alwayes compoſed in the vacancie of the Popedom.

Card. *Farneſe* is created Pope, firſt called *Honorius* 5. and in the coronation named *Paulus* 3. Whoſe chiefeſt vertue was diſſimulation.

1534 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

uerne in quiet. Hee ſaw very well that this colour of a Councell might ſerue to couer many matters, and to excuſe him in not doing thoſe things which were contrary to his will. Therefore ſoone after his creation hee let them knowe, that though the capitulations were not ſworne, yet hee was reſolued to obſerue that of the conuocation of a Councell, knowing it to be neceſſary for the glory of God, and benefit of the Church: and the 16. of the ſame moneth hee made a generall congregation of the Cardinals, which is not called a Conſiſtory, the Pope not being crowned as yet, where hee propoſed this matter. Hee ſhewed, by potent arguments, that the intimation could not bee deferred, it being otherwiſe impoſſible to make true amitie betweene Chriſtian Princes, and to extirpate the hereſies: and that therefore all the Cardinals ought maturely to conſider how it ſhould bee celebrated. Hee deputed alſo three Cardinals to aduiſe of the time, and place, and other particulars, with order to deliuer their opinion in the firſt Conſiſtory after the coronation. And to make contradictions ariſe, which might ſerue him in occaſions, hee added, that as he would reforme the Clergie in the Councell, ſo it was not conuenient there ſhould bee neede to reforme the Cardinals, but that it was neceſſary they ſhould then begin to reforme themſelues, becauſe he was reſolued to draw fruit from the Councel, the precepts whereof would bee of ſmall force, if the effects appeared not firſt in the Cardinals.

maketh ſhew that he deſireth a Councel.

Perſwadeth the Cardinals to reforme themſelues.

The cuſtom is, that in the firſt daies the Cardinals, eſpecially the great ones, obtaine fauours eaſily of the new Pope. Therefore the Cardinal of *Lorraine*, and other French, in the name of the King, deſired him to grant to the Duke of *Lorraine* the nomination of the Biſhoprickes, and Abbacies of his dominion: which demand alſo it was thought the Venetians would make for theirs. The Popes anſwere was, that in the Councell, which ſhould be called ſhortly, it was neceſſary to take away the facultie of nomination from thoſe Princes that already had it; which was ſome blemiſh to the Popes his predeceſſors, who had granted them. Therefore it was not reaſonable to augment the heape of errours, and to grant that now which ſhortly ſhould bee reuoked with ſmall reputation.

And refuſeth to grant the nomination of Biſhops and Abbats to any Prince.

In the firſt Conſiſtory, which was the twelfth of Nouember, he diſcourſed againe of the Councell, and ſaid, that firſt it was neceſſary to obtaine an vnion of Chriſtian Princes, or aſſurance of ſuſpenſion of armes, while the Councell ſhould endure. Therefore that hee would ſend *Nuncij* to all Princes to negotiate this point, and other particulars, of which the Cardinals put him in minde. Hee called alſo *Vergerius* out of *Germanie*, to bee well informed of the ſtate of thoſe Prouinces, and deputed three Cardinals, one of euery order to conſult of the things ro bee reformed. Theſe were the Cardinall of *Siena*, of *S. Seuerino*, and *Ceſis*. Neither was there euer any Conſiſtory where he entred not, and ſpake much of this matter, and often ſaid, it was neceſſarie for this end, that the Court, and eſpecially the Cardinals ſhould firſt bee reformed. This was expounded by ſome, to bee ſpoken with good zeale, and deſire of effect, by others, that the Court and Cardinals, might finde meanes to hinder the Councell, that there might not bee any reformation. And the ground of this their opinion was, that ha-

The Pope maketh ſhew to deſire an vnion of Princes, and a reformation of the Court.

Vergerius is recalled out of *Germanie*.

uing

uing deputed three Cardinals, hee elected neither the moſt zealous, nor the moſt practicall, but the ſloweſt and moſt quiet of all the Colledge. But the next moneth of December, hee gaue more ample matter of diſcourſe. For hee created Cardinals, *Alexander Farneſe* his owne grandchild, by *Peter Aloiſius* his baſtard, and *Guido Aſcanius Sforza*, grand-child by his daughter *Conſtanza*, the former of fourteene yeeres of age, and the other of ſixteene. To thoſe that told him of their youth, hee anſwered, that his owne decrepite olde age did ſupply it. The hope of reforming the Cardinals, and the feare of ſome of them vaniſhed immediately, becauſe it did not appeare how it could begin, but from the age, and lawfull birth of thoſe which were to be created. The Pope alſo gaue ouer to ſpeake thereof any more, hauing done that, which would not ſuffer him to maske any longer. Yet the propoſition of calling a Councell was currant ſtill. 1535

PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

Two of the Popes nephewes are created Cardinals, both very yong.

And in the Conſiſtorie of the ſixteenth of Ianuarie 1535. he made a long and vehement Oration, exciting the Cardinals to reſolue in that matter. For by proceeding ſo ſlowly, the world did thinke that the Councell was not truely intended, and that they had nothing but words, and Court holy water. And hee deliuered his mind with ſuch graue ſentences, that the whole auditory was mooued. In that conſiſtorie it was reſolued to diſpatch Nuncij to the Emperour, to the French King, and other Chriſtian Princes, with commiſſion to declare, that the Pope and Colledge had determined abſolutely, for the benefit of Chriſtendome, to celebrate a Councell, exhorting them to fauour it, and to procure peace and tranquillitie, while it ſhall laſt, but to tell them, that for the time and place, his Holineſſe was not reſolued as yet. And the moſt ſecret inſtruction was, that they ſhould cunningly finde out, what the Princes thought concerning the place, to the ende, that all their intereſts and purpoſes being knowne, hee might hinder them, by oppoſing one againſt another, and ſo worke his owne will. Hee charged alſo the Nuncij to complaine of the actions of the King of *England*: and, when they ſaw opportunitie, to incite them againſt him, and to offer them alſo that kingdome for a pray. Among theſe Nuncij *Vergerius* was one, ſent backe into *Germanie* with more ſpeciall Commiſſions, to penetrate the minde of the Proteſtants, concerning the forme of proceeding in the Councell, that hee might draw from thence ſuch concluſions as were neceſſarie. He gaue him alſo particular charge to treat with *Luther*, and the other principall Preachers of the reformed doctrine, vſing all kindes of promiſes and offers, to reduce them to ſome compoſition. The Pope reprehended in all occaſions the rigidneſſe of Cardinall *Caietan*, who in the Diet of *Ausburg* 1518. refuſed *Luthers* offer, that ſilence being impoſed to his aduerſaries, hee would alſo bee contented to holde his peace: and hee condemned the acerbitie of that Cardinall, who, by vrging obſtinately a recantation, caſt that man headlong into deſpaire, which had coſt, and would coſt the Church of *Rome*, as much as the halfe of her authoritie is worth. That hee would not imitate *Leo*, in beleeuing that the Friars are good inſtruments to ſuppreſſe the Preachers of *Germanie*. For reaſon, and experience haue declared the vanitie of that cogitation. That there were but two meanes, force and treaties; both which hee would vſe, being readie to agree to any condition, 1535

The Pope ſendeth Nuncij to all Princes, to treate with them concerning the Councell.

Vergerius is ſent backe into *Germanie* with ſpeciall inſtructions.

1535
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

so that the Popes authoritie might remaine intire. For which ende hee said hee had neede of able men, fit for negotiation, and therefore the one and twentieth of May, hee created sixe Cardinals, and the seuenth, a few dayes after all which, were men much esteemed in the Court. Among these was *Iohn Fisher* Bishop of *Rochester*, then prisoner in *England*, for refusing to obey the Kings Decree, which tooke away the Popes authoritie. The Pope in making choice of him, considered that hee honoured this promotion by putting in that number a learned man, and well deseruing, for the persecution which hee endured: and that hauing increased his dignitie, hee would haue more respect with the King, and more credit with the people. But that Cardinals Cap profited that Prelate in nothing, but to hasten his death, which was giuen him 43. dayes after, by cutting off his head in publike.

The Pope creeth seuen Cardinals.

In which number was *Iohn Fisher* B. of *Rochester*.

But howsoeuer the Pope made open demonstrations to desire such a Councell, as might giue satisfaction, and reduce *Germanie*, yet all the Court, and the Popes neerest friends, who treated most secretly with him of these things, said that it could not any where be celebrated but in *Italie*, because in no other place it could be free, and that in *Italie*, no place could be chosen but *Mantua*.

The Court was of opinion that *Mantua* was the fittest place for the Councell.

Vergerius, at his returne into *Germanie*, deliuered the Popes Ambassage, first to *Ferdinand*, and then to those Protestants that came to that King, about the present occurrences, and at last hee made a iourney to treat with the others also. Hee had no other answere from any of them, but that they would consult together, and resolue by common consent in their assembly, which should bee called in the ende of the yeere. The proposition of the Nuncio contained, that that was the time for the Councell, so much desired, the Pope hauing treated with the Emperour, and all the Kings to call it seriously, not as formerly, in appearance onely; and that it may not bee deferred any more, hee determined to choose *Mantua* for the place, according to the resolution taken with the Emperour, two yeeres since: Which being a Citie of the Emperours vassall, placed neere his confines, and the *Venetians*, they might holde it for secure: besides that the Pope and the Emperour would giue any greater caution whatsoeuer. That it was not necessarie to resolue or speake of the manner and forme of treating in the Councell, because this would better bee done in the Councell it selfe, when it shall bee called. That it could not bee celebrated in *Germanie*, which abounded with Anabaptists, Sacramentaries, and other sects, for the most part, both foolish and furious. Therefore that it would not bee secure for other nations, to goe where that multitude is potent, and to condemne their doctrine. That to the Pope it is all one to call it in any other Country whatsoeuer, but hee would not seeme to bee inforced, and to haue that authoritie taken from him which hee hath inioyed so many ages, to prescribe the place of generall Councells.

The negotiation of *Vergerius* in *Germanie*.

In this iourney *Vergerius* found *Luther* at *Wittenberg*, and treated with him very courteously, vpon these tearmes, inlarging, and amplifying them very much. And first, hee assured him, that the Pope, and Colledge of Cardinals, esteemed him exceedingly, who were infinitely grieued for the losse

He treateth with *Luther*.

of

1535
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

of one, who, if he had been employed in the ſeruice of God, and the Apoſtolicall Sea (which are ioyned together) might haue brought foorth ineſtimable fruite; and that they would doe whatſoeuer they could to regaine him. Hee told that the Pope blamed the rigiditie of *Caietan*, and that the Cardinals did no leſſe; that hee might expect all fauour from that holy Sea, and that the rigor of *Leo*, which hee vſed by the inſtigation of others, not of his owne diſpoſition, diſpleaſed all men. Hee added alſo that hee would not diſpute with him of the controuerſies, becauſe hee profeſſed not Diuinitie, but that by common reaſon he could ſhew him that it was good to reunite himſelfe with the head of the Church. For conſidering that his doctrine, comming to light, and beeing publiſhed within theſe eighteene yeeres, had raiſed innumerable ſects, of which the one deteſteth the other, and ſo many popular ſeditions, with the death and baniſhment of ſo great multitudes, it could not bee concluded that it came from God. But one might well aſſure himſelfe, that it was pernitious to the world, becauſe ſo much miſchiefe proceeded from it. *Vergerius* ſaid, that it was too great a ſelfe-loue, and too great a conceipt of ones owne worth, when a man would trouble the whole world to ſowe his owne opinions. If you haue innouated in the faith, (ſaid *Vergerius*) in which you were borne, and bred vp 35. yeeres, for your conſcience and ſaluations ſake, it was ſufficient to keepe it within your ſelfe. If the loue of your neighbour mooued you, why did you trouble the whole world vnneceſſarily, ſeeing, that without it men did liue, and God was ſerued in tranquillitie. Hee added that the confuſion was gone on ſo farre, that the remedie could not bee deferred. The Pope is reſolute to applie it by calling a Councell, where all the learned men of *Europe*, meeting together, the trueth ſhall bee cleered to the confuſion of vnquiet ſpirits; and for the place, hath deſtinated the Citie of *Mantua*. And although the chiefeſt hope conſiſteth in the goodneſſe of God, yet putting to that account the endeuours of men, it was in *Luthers* power, to make the remedie eaſie, if hee will bee preſent, treat with charitie, and oblige to himſelfe alſo the Pope, a munificent Prince, who taketh ſpeciall notice of perſons of merit. Hee put him in minde of the example of *Eneas Siluius*, who following his owne opinions with much ſlauery and labour, could get no further preferment, then to bee Canon of *Trent*, but, beeing changed to the better, became Biſhop, Cardinall, and finally Pope *Pius* the ſecond. Hee called to his memorie *Beſſarion* of *Nice*, who of a poore Caloier of *Trapizonda*, became a great and renowmed Cardinall, and wanted not much of being Pope.

And propoſeth vnto him the example of *Eneas Siluius*;

And of *Beſſarion*.

Luthers anſweres were, according to his nature, vehement and fierce, ſaying, that hee made none account of the eſteeme which hee had with the Court of *Rome*, whoſe hatred hee feared not, nor regarded their good will; that hee applied himſelfe to the ſeruice of God, as much as he could, though when hee had done all, he was but an vnprofitable ſeruant; that he ſaw not how the ſeruices of God were ioyned with thoſe of the Papacie, but as darkneſſe with light; that nothing in all his life was more profitable to him, then the rigor of *Leo*, & the rigidity of *Caietan*, which he could not aſcribe to them, but to the prouidence of God. For not being as yet in thoſe times illuminated

Luthers anſwere.

1535
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

in all the truth of Christian faith, but hauing only discouered the abuses of Indulgences, he was ready to haue kept silence, in case his aduersaries had done the like. But the writings of the master of the holy palace, the insulting of *Caietan*, and the rigor of *Leo* constrained him to studie, and to descrie many other lesse tolerable abuses, and errors of the Papacie, which he could not dissemble, nor refraine to declare them vnto the world with a good conscience. That the Nuncio had ingeniously confessed that hee vnderstood not Diuinitie; which appeared cleerely by the reasons which hee proposed, because none could call his doctrine new, but hee that beleeued that CHRIST, the Apostles, and the holy Fathers liued, as now the Pope, Cardinals, and Bishops doe. Neither can any argument bee drawen against the doctrine, from the seditions happened in *Germanie*, but by him that hath not read the Scriptures, and knoweth not that this is proper to the word of God, and the Gospel, that it stirreth vp troubles and tumults, euen to the separation of the father from the sonne, wheresoeuer it is preached. That this was the vertue of it, to giue life to them that hearken to it, and to bring greater damnation to whosoeuer reiecteth it. Heeadded, that it was a great fault of the Romanists, to establish the Church with gouernements taken from humane reasons, as if it were a temporall State. That this is that kind of wisedome, which S. *Paul* saith, is accounted foolishnesse with God, as not to esteeme those politique reasons, by which *Rome* doth gouerne, but to trust in Gods promises, and to referre to his Maiestie the managing of the Church affaires, is that humane folly, which is wisedome with God. That to make the Councell take good effect, and to bee profitable for the Church, was not in the power of *Martin*, but of him that can make it free, that the Spirit of God may rule there, and guide it, and the holy Scripture may be the rule of the resolutions, not bringing thither interests, vsurpations, and artifices of men: which in case it should happen, yet himselfe would there vse all sinceritie, and Christian charitie, not to binde the Pope or any other vnto him, but for the seruice of Christ, and peace and libertie of the Church. But that hee could not hope to see so great a good so long as it appeared not that the wrath of God was appeased, by a serious conuersion from hypocrisie. That no sound argument could bee taken from the assembling of learned men, seeing that so long as the anger of God is kindled, there is no error so absurd and vnreasonable, which Satan cannot perswade, especially to those great wise men, who thinke they knowe much, whom the Maiestie of God will confound. That nothing can be receiued from *Rome* compatible with the ministery of the Gospell. That the examples of *Eneas Siluius*, and *Bessarion* moued him not. For hee esteemeth not those cloudy glitterings, and, in case hee would exalt himselfe, he might truely replie that which facetely was spoken by *Erasmus*, that *Luther* beeing poore and base, maketh rich, and aduanceth many. That it was well knowen to the Nuncio himselfe, (not to goe farre) that the last May himselfe had a great part in the creation of the Bishop of *Rochester*, and was the totall cause of the creation of *Scomberg*. That if the life of the first was so soone taken away, this was to bee ascribed to the prouidence of God. *Vergerius* could not perswade *Luther*, to remit any thing of his constancie, who so

Vergerius could not moue Luther.

stedfastly

steadfastly maintained his doctrine; as if it had beene apparant to the eyes, and said that the Nuncio, yea and the Pope himselfe, should sooner embrace his faith, then he would abandon it. 1535 PAVL 3. CHARLES 5.

Vergerius assaid also to perswade some other preachers in *Wittenberg*, and elsewhere in the iourney; according to the Popes commission; but found no inclination, as hee thought he should, but rigiditie in all that were of account; and those that rendred themselues were of small worth, and pretended much, so that they were not for his purpose. HENRY 8. FRANCIS 1. Nor any of the other Lutherans, except some few of small esteeme.

But the Protestants, vnderstanding *Vergerius* his proposition, there beeing fifteene Princes, and thirtie Cities assembled in *Smalcalda*, answered that they had declared their resolution concerning the Councel in many Diets, and last of all to the Nuncio of Pope *Clement*, and the Emperours Ambassadours, two yeeres since, and that still they desired a lawfull Councel, as they were sure that all godly men did, and that they would goe to it, as many times hath beene determined in the Imperiall Diets. But for the Councel which the Pope hath appointed to bee in *Mantua*, they hoped that the Emperour would not breake the decrees of the Diet, nor his owne promises, so often made vnto them, that the Councell should bee celebrated in *Germany*, and that they saw not how there could bee any danger there, seeing that all the Princes and Cities obey the Emperour, and are so well gouerned, that all strangers are receiued and entertayned with all humanity. But that the Pope should prouide for the security of those that went to the Councel, they could not see how, especially considering what things haue happened in the precedent age. That the Christian Commonwealth hath neede of a godly and free Councel, and that to such a one they haue appealed. And whereas the Nuncio saide, that they ought not to treat of the manner and forme first, it signified nothing but that there should bee no liberty, and that all should be referred to the Popes power, who alreadie hauing so often condemned their religion, the Councel cannot bee free, if hee shall bee Iudge. That the Councel is not the tribunall of the Pope and Priests onely, but of all the orders of the Church, not excluding the Seculars. That to preferre the Popes power before the authority of the whole Church, is an vniust and tyrannicall opinion. That the Pope defending the opinion of his owne men, yea with cruell edicts, making himselfe a party to the cause, it is iust that the manner and forme of the processe should bee determined by the Princes. 1535 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1. Nor any of the other Lutherans, except some few of small esteeme. The answere of 15. Princes and 30. Cities assembled in *Smalcalda*. *Mantua* is refused by the *Germans*.

The Kings of *England* and *France*, sent Ambassadours to the assembly of *Smalcalda*: the French King (who had a disseigne to make warre in *Italy*, *Francis Sforza*, Duke of *Milan*, beeing now dead) desired them not to accept of any place for the Councel, without the aduise of him, and of the King of *England*, and that they would accept of none without them. The King of *England* aduised them to be aware that they called not such a Councel, where, in stead of moderating the abuse, they should more establish the Popes authority, and desired them to approoue his diuorce. On the other side they dealt with him to receiue the Augustan confession. Which things, beeing treated of in diuers assemblies, had no conclusion at all. The King of *England* and the *French* King send Ambassadours to *Smalcalda*. *Francis Sforza* dieth.

But *Vergerius*, in the beginning of the yeere 1536. returned to the Pope, to relate 1536

1536
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

relate the effect of his Ambaſſage. Hee deliuered in ſumme, that the Proteſtants would not receiue any Councel, except it were free, and in a fitte place, within the confines of the Empire, grounding themſelues vpon the Emperours promiſe, and that of *Luther* and his complices there was no hope at all, nor any other way to be thought of, but to oppreſſe them with warre. *Vergerius* for his reward had the Biſhopricke of *Capo d'Iſtria*, his owne Countrey, and was ſent by the Pope to *Naples*, to make the ſame relation to the Emperour, who, hauing beene victorious in *Africa*, was paſſed into the kingdome, to ſettle the affaires thereof. The Emperour hearing the narration of the Nuncio, went to *Rome*. He had priuate conference with the Pope, concerning the affaires of *Italy*, and the pacification of *Germany*. The Pope, according to *Vergerius* his counſell, ſaid there was no meanes to bee vſed but warre. But the Emperor, ſeeing the time not ripe as yet, to reape from thence that good fruit, as others were perſwaded he might, and himſelfe alſo intangled in *Italy*, without poſſibility of beeing free, but by yeelding *Milan*, which he reſolued, by all meanes to make his owne, whither all his actions did principally tend, alleaged for a reaſon to deferre that warre, that it was more neceſſary to defend *Milan* from the French men. On the other ſide the Pope, whoſe thoughts were wholy bent to make an Italian Lord of that State, and therefore propoſed the warre of *Germanie*, not ſo much to ſuppreſſe the Lutherans (as hee ſaid openly) as to diuert *Ceſar* from poſſeſſing *Milan*, which was his principall end, though ſecret, replyed that himſelfe and the Venetians, what by armes, and what by treaties, would more eaſily make the King deſiſt, in caſe his Imperiall Maieſty did not meddle.

* *Vergerius* returneth and deliuereth to the Pope the effect of his negotiation.

Hee is rewarded and ſent to the Emperour.

The Emperor goeth to *Rome* to confer with the Pope.

The Emperour hauing diſcouered the inward thoughts of the Pope, with as much diſſimulation, made ſhew he was perſwaded, and inclined to the warre of *Germany*; yet hee ſaid, that it was fit to iuſtifie the cauſe well, that the whole world might not be againſt him, and to ſhew, by intimating a Councel, that hee had firſt vſed all other meanes. The Pope was not ſory that, being neceſſarily to intimate a Synode, it ſhould be done in a time, when, in regard the *French* King had inuaded *Sauoy* and *Piemont*, all *Italy* would bee ſet on fire with warre; whereby an apparent pretence was giuen him to enuiron the Councel with armes, vnder colour of cuſtody and protection. He ſhewed himſelfe to bee contented, ſo that ſuch conditions were ſet downe which might not derogate from the authority and reputation of the Apoſtolique Sea. The Emperour, who, by reaſon of the victory atchieued in *Africa*, was lifted vp in minde, and ſwollen with vaſt thoughts, beleeued he ſhould make an end of the warre in *Lombardy* within two yeeres at the moſt, and that hauing immured the King of *France* beyond the mountaines, he might apply himſelfe to the affaires of *Germany*, without any impediment. His meaning was the Councel ſhould ſerue him for two things. Firſt to bridle the Pope, in caſe, during the warre of *Italy*, hee ſhould according to the cuſtome of other Popes, put himſelfe on the *French* ſide, when that ſhould bee the weaker, to counterpoiſe him that was victorious. Secondly to reduce *Germany* to his obedience, which was the marke he ſhot at. But for the Popes obedience, hee eſteemed it but an accedentall thing. For the place, *Mantua* pleaſed him; and for the reſt he cared not what condition the Pope might

The Pope & Emperor haue contrary ends and diſſemble one with another.

The Emperor is puffed vp with the *African* victorie.

might adde, considering that, when the Councell was assembled, he should be able to change whatsoeuer pleased him not. Therefore he concluded that he was contented with any condition, so that the Councell might bee celebrated, alledging that he hoped to perswade almost all *Germanie* to consent vnto it. Wherefore the resolution was established by the Pope, and the whole colledge of Cardinals. 1536 PAVL 3. CHARLES 5. HENRIE 8. FRANCIS 1.

A resolution established for calling the Councell.

Therefore the Emperour, entering into the publike Consistorie the 28. of April, thanked the Pope and Colledge, for hauing readily and without delay resolued to call a generall Councell, and then desired them that the Bull might be dispatched before hee parted from Rome, that himselfe might giue order for the rest. The Bull could not be framed so soone, because it was necessarie to consider of fit words to bee put into it, such as might giue as much hope of libertie as was possible, and yet not preiudice the Papall power. Sixe Cardinals, and three Bishops were deputed for this businesse; and finally the Bull was finished the twelfth of Iune, published in the Consistory, and subscribed by all the Cardinals. The tenor was as followeth.

The Emperor entreth into the publike Consistorie.

The Bull for conuocation of the Councell is made.

That from the beginning of his Papacie he had desired nothing more then to cleanse the Church, recommended by God to his care, from heresies and errors, and to restore the discipline to its former state: for which finding no way more commodious then that which alwaies hath beene vsed in like occurrences, that is, a generall Councell, he had often written concerning it to the Emperour and other Kings, with hope not onely to obtaine this end, but also, that all discords being appeased betweene Princes of Christendome warre might bee made against the Infidels, to free the Christians from that miserable slauerie; and also to reduce the Infidels themselues to the faith. Therefore, by the fulnesse of authoritie which he hath from God, by the consent of his brethren the Cardinals, he doth intimate a generall Councel of all Christendome, against the 27. of May the next yeare 1537. in Mantua, a rich place, and commodious for the celebration of a Councell. Therefore he commandeth the Bishops and other Prelats, of what place soeuer, by vertue of their oath, and vnder the paines set downe by the holy canons and decrees, that they tender their presence there at the day prefixed. He prayeth the Emperour, *French* King, and all other Kings and Princes to be there in person, or in case they cannot, to send honourable and ample ambassages, as the Emperour, *French* King, and other Christian Princes haue often promised both to *Clement*, and to him: and to cause the Prelats of their kingdomes to goe thither, and there remaine vntill the end, to determine that which shall be fit to reforme the Church, extirpate heresies, and to make warre against the Infidels.

The Councel is to begin in *Mantua*, May 27. 1537.

The Pope published another Bull also, to correct (as he said) all the vices and defects of the Citie of *Rome*, the head of all Christendome, mistris of learning, manners and discipline; that his owne house being first purged, he might more easily cleanse the rest. But not being able fully to performe this businesse by himselfe, he deputed the Cardinals *Ostiense*, Saint *Seuerino*, *Genutio*, and *Simoneta*, commaunding all men vnder the most grieuous paines, to yeeld them absolute obedience. These Cardinals, together with other Prelats, deputed also by the Pope, applyed themselues immediatly to reforme the

A Bull for the reformation of *Rome*.

penitentiarie

1537
Pavl 3.
Charles 5.
Henrie 8.
Francis 1.

penitentiarie and Datarie Courts, and the manners of the Courtiers: yet nothing tooke effect. But the intimation of the Councell seemed very vnfit to euery man of any meane capacitie, in a time when warres were on foote in *Picardie*, *Prouence*, and *Piemont*, betweene the Emperour and the *French* King.

The Protestants doe not approoue the Bull of the Conuocation.

The Protestants, when they had seene the bull, wrote to the Emperour, that it appeared not what should be the forme and manner of the Councell. They desired it should be pious, free, and in *Germanie*, and such a one was euer promised vnto them, and said they hoped that his Maiestie would prouide that their demaunds should be satisfied, and his promise fulfilled.

1537. The Emperor exhorteth thé to accept the Councell.

But in the beginning of the next yeare 1537. the Emperor sent to the Protestants *Matthias Eldo* his Vice-Chancellor, to exhort them to receiue the Councel, for the calling whereof he had taken so great paines, and where he meaned to affoord his personall presence, if some great warre constrained him not to be elsewhere. He put them in mind that they had appealed to a Councell, and therefore that it was not conuenient that now they should change their purpose, and refuse to meete all other Nations, who haue fixed therein all their hope for reformation of the Church. Concerning the Pope, the Emperor said there was no doubt but that he would gouerne himselfe, as was fit for the principall head of the Church, and that in case they had any complaint against him, they might modestly prosecute it in the Councel. For the manner and forme, that it was not conuenient they should prescribe it to all Nations, but should rather thinke that not their Diuines onely were inspired from God, and vnderstood holy mysteries, but that men may elsewhere be found who want neither learning nor sanctitie of life. For the place, though they haue demaunded it in *Germanie*, yet they should consider what was fit for other Nations. *Mantua* is neere to *Germanie*, rich, healthfull, and the Duke thereof vassall of the Empire; so that the Pope hath no power there; and if they desired any further caution, himselfe was readie to giue it them. He spake also apart with the Elector of *Saxonie*, exhorting him to send his Ambassadours to the Councell, without vsing exceptions or excuses, which could hatch nothing but inconueniences. Concerning the Councell, the Protestants answered, that hauing read the Popes letters, they saw well that hee and the Emperour were not of one mind; and, hauing repeated what was treated of with *Adrian*, *Clement*, and *Paul*, they concluded that they had all the same end. They went on to alledge their reasons, why the Pope should not be iudge in the Councell, nor yet those, who were by oath tyed vnto him. And for the place appointed, beside that it was against the Decrees of the Imperiall Diets, no safe conduct could free them from danger if they went thither. For the Pope hauing adherents throughout all *Italy*, who bitterly hate the Protestants doctrine, there was great danger of treacherie and secret plots. Besides, in regard that many Doctors and Ministers ought to goe in person, because it is not fit to handle a matter of that importance by deputies, their Churches would bee left desolate. And how can they consent to the iudgement of the Pope, who hath no other ayme but to roote out their doctrine, which hee calleth heresie, and cannot refraine from saying so much in all his Buls, yea, in that, by which hee intimateth

And they answer.

mateth the Councell: and in the Bull, which, dissemblingly, hee made for reformation of the Court of *Rome*, hee hath often repeated, that hee hath called a Councell to extirpate the Lutheran heresie, and maketh demonstration thereof by effects, exercising bloudie torments and punishments, against poore innocent people, who adhere to that religion, for conscience sake. And how shall they be able to accuse the Pope and his followers, when himselfe will be iudge? And to approue his Briefe, is nothing else but to consent to their owne condemnation. And therefore that they haue alwayes demanded a free and Christian Councell, not onely that euery man may freely speake, the Turkes and infidels being excluded, but that those that are linked together by oathes, and other Couenants, may not bee Iudges, and that the word of God may gouerne, and define all the controuersies. That they well know, that there are learned and godly men in other Nations: but withall they assure themselues, that if the vnlimited power of the Pope shall bee moderated, not their Deuines onely, but many others, who now by reason of oppression hide themselues, will labour for reformation of the Church. That they will not dispute of the situation and fitnesse of *Mantua*; but they may well say, that so long as there is warre in *Italie*, they cannot want matter of suspition. That it is sufficient to say of the Duke of that Citie, that hee hath a brother a Cardinall, one of the prime men of the Court. That in *Germanie*, there are many Cities as commodious as *Mantua*, where Iustice and equitie doe flourish: and in *Germanie* those secret wiles to take away mens liues, are neither vsed nor knowne, as they are in other places. That in the ancient Councels, the secureneſse of the place hath euer beene first sought for, which would not bee sufficient there, though hee the Emperour were personally present in the Councell. For it is knowne, that the Popes graunt him place in consultations, but for power of determining, they reserue it to themselues onely. That it was knowne what happened to the Emperour *Sigismond*, in the Councell of *Constance*, whose safe-conduct was violated by the Synod, and himselfe constrained to put vp so great an affront. Therefore they prayed his Maiestie to consider the importance of these reasons.

1537
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

There appeared in this same Diet the Bishop of *Aix*, sent by the Pope to inuite them to the Councell. But hee did no good, and some of the Princes would not so much as heare him. And to make their reasons knowne to the world, they printed and published a writing, where they laboured principally to answere that obiection, that they would not submit themselues to any Iudge, that they despised other nations, that they refused the supreame tribunall of the Church, that they had renewed heresies formerly condemned, that they were glad of ciuill discords, that the faults which they found in the manners of the Court of *Rome*, were small, and tollerable. They alleadged the causes why it was not fit, that the Pope alone, nor yet together with his adherents should bee iudge: they brought the examples of many Councels refused by diuers of the Fathers, and in fine, implored the aide of all Princes, offering that whensoeuer a lawfull Councell shall bee called, they will therein defend their cause, and render an account of all their actions. They sent also an expresse Ambassadour to the French King, to giue him

Some of the Protestant Princes would not so much as heare the Popes Nuncio

They iustifie their actions to the world by writing.

1537
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

him a particular account of the ſame things : who anſwered, that for the Councell he was of their opinion, not to approue it, except it were lawfull, and in a ſecure place, aſſuring them that his ſonne-in-law, the King of *Scotland*, was of the ſame minde.

The Duke of *Mantua* maketh a grant of his Citie and afterwards recalleth it.

The Duke of *Mantua*, to gratifie the Pope, granted his Citie for the Councel, without conſidering what hee did, thinking, as others, that it could not bee effected, there being warres betweene the Emperour and French King, and *Germanie* oppoſing it, for whoſe ſake it was called. But when he ſaw the intimation, he began to thinke how to ſecure the place, and ſent a propoſition to the Pope, that, in regard of the great number of thoſe that would come to the Councel, there was need of a great garriſon, which he would not haue depend vpon any but himſelfe, and that he was not able to maintaine it. Therefore in caſe his Holineſſe would celebrate the Councel in that Citie, he muſt allow him money for ſouldiers pay. The Pope anſwered that the multitude would not conſiſt of men of armes, nor profeſſed for the war, but of Eccleſiaſticall and learned perſons, which one magiſtrate, whom he would depute to render iuſtice, with a ſmall court and gard, was able to keepe in order; that a garriſon of ſouldiers would breed a generall ſuſpicion, and became not the place of the Councell, where all ſhould appeare, and be truely peaceable; and that in caſe a garriſon were neceſſarie, it were not reaſonable to put it into the hands of any but of the Councel it ſelf, that is, of the Pope, who is head thereof. The Duke, conſidering that iuriſdiction draweth with it abſolute ſoueraigntie, replied, that by no meanes hee would haue iuſtice adminiſtred in his Citie, but by his owne officers. The Pope, a very wiſe man, who ſeldome receiued any anſwere which hee did not foreſee, was much amazed, and anſwered the Dukes man, that hee would neuer haue beleeued that by his Lord, a Prince of *Italy*, whoſe family hath beene ſo much aduanced by the Apoſtolicall Sea, who had a brother a Cardinall, that would bee denied him of which neuer any made doubt before, which the Law of God and man doth giue him, which the very *Lutherans* cannot denie, that is, to be ſupreame iudge of the Clergie; a thing which the Duke denieth not to his owne Biſhops, to iudge the cauſes of Prieſts in *Mantua*. That in the Councel none ſhould bee preſent but Eccleſiaſtiques, who are exempted from the ſecular power, both themſelues and their families. Which is ſo cleere, that the Doctors of Diuinity affirme that the very concubines of Prieſts are of Eccleſiaſticall iuriſdiction; and yet hee would denie him a magiſtrate to render iuſtice to thoſe men, during the time of the Councel. The Duke, for all this, was conſtant, aſwell in refuſing the Popes Magiſtrates, as alſo in demanding pay for ſouldiers. Theſe conditions ſeeming hard to the Pope, contrarie (as he ſaid) to the ancient cuſtome, and againſt the dignity of the Sea and Eccleſiaſticall libertie, hee would not yeeld vnto them, and reſolued not to call the Councell at *Mantua*. He remembred very well what happened to *Iohn* the 23. for calling a Councel where another was ſtronger then hee. His purpoſe therefore was to prolong the time, and excuſed himſelfe in a publique Bull, ſaying in ſubſtance, that though with griefe hee was conſtrayned to depute an other place for the Synod, yet hee endured it with patience, becauſe another was in fault and not himſelfe: and becauſe

The Pope claymeth right to adminiſter iuſtice where the Councel ſhall be celebrated.

Prieſts concubines are of Eccleſiaſticall iuriſdiction.

The Pope reſolueth not to call the Councel at *Mantua*.

he

hee could not resolue so suddenly vpon a conuenient City, hee deferred the celebration thereof vntill the first of Nouember the same yeere. 1537

At that time the King of *England* published a manifest in his owne name, and of his nobility, against the Popes conuocation, as by a person that had no power, in a time when *Italy* was set on fire with warre, and in a place not secure, adding that hee much desired a Christian Councel, but that to the Popes he would neither goe nor send Ambassadours, hauing nothing to doe with the Bishop of *Rome*, or his edicts, more then with the edicts of any other Bishop. That the ancient Councels were called by the authority of Kings, which custome ought now the rather to bee renewed, because the defects of the Court of *Rome* are called into question. That it was not vnusuall for the Popes to breake their faith, which himselfe had more cause to consider then others, being most bitterly hated by him, for hauing denyed him authority in his kingdome, and the reuenew which was paid him. That to blame the Prince of *Mantua*, because hee will not receiue so many people into his Citie without a garison, is to mocke the world; as also to prorogue the Councel vntill Nouember, not saying in what place it shall then bee celebrated. And if the Pope choose the place, without doubt it will be in his owne State, or of some Prince that is obliged to him. Therefore, it being impossible that any man of iudgement should hope for a true Councel, the best way was for euery Prince to reforme religion at home: concluding in the end, that if any man could giue him better directions, he would not refuse to follow them.

PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

The King of *England* oppoſeth the Councel by a publique manifeſt.

In *Italy* also there was a generall disposition to interpret the Popes actions in the worser sense: and it was spoken freely, that though the Duke of *Mantua* were blamed, yet hee was not the cause why the Councel was not called, whereof there was a manifest argument, because the Pope had published a Bul for reformation of the Court, and committed the care thereof to foure Cardinals at the same time; which notwithstanding was buried in silence, though neither the Duke, nor any body else hindered it from beeing in his power: and hauing proposed it immediately after hee was assumed to the Papacy, it was not so much as spoken of for three yeeres after. The Pope, to withstand these defamations, resolued to set the businesse on foote againe, first reforming himselfe, the Cardinals, and the Court, that none might obiect against him, nor make bad construction of his actions; and he elected foure Cardinals, and fiue other Prelates, whom he so much esteemed that the yeeres following hee made foure of them Cardinals, giuing charge to those nine to collect the abuses, which deserued amendment, and withall to adde the remedies, by which they might quickly and easily be remooued, and to reduce all to a good reformation. The Prelates made the collection, as the Pope commanded, and committed it to writing.

The care of reforming the Court, was committed to 4. Cardinals, but nothing was done, which made the *Italians* suspect the Popes actions.

The reformation is set on foot againe.

In the beginning they proposed, for the fountaine and source of all the abuses, the Popes readinesse in giuing eare to flatterers, and his facility in dispensing with lawes, with neglect of the commandement of Christ, not to receiue gaine for spirituall things. And descending to particulars, they noted twenty foure abuses in the administration of Ecclesiasticall matters, and foure in the speciall gouernment of *Rome*: they touched the ordination of clergie

The fountaine of the abuses of the Court.

The particular abuses.

1538 Pavl. 3. Charles 5. Henry 8. Francis. 1.

Cleargie men, Collation of benefices, Penſions, Permutations, Regreſſes, Reſeruations, Pluralitie of benefices, Commendacs, Exemptions, deformation of the regular order, ignorance of Preachers and Confeſſors, libertie of printing pernicious Bookes, the reading of them, toleration of Apoſtates, Pardoners. And, paſſing to diſpenſations, firſt they touched that, for mariage of thoſe that are in orders, for marriages in degrees forbidden, diſpenſations granted to Symoniacall perſons, facilitie of graunting Confeſſionals and Indulgences, diſpenſation of vowes, licence to bequeath by will the Church goods, commutation of wils and teſtaments, toleration of harlots, negligence of the gouernment of hoſpitals, and ſuch other things, which they exactly handled, expounding the nature of the abuſes, the cauſes and originall of them, the conſequences of the euils which they carry with them, the meanes to redreſſe them, and to keepe hence forward the body of the Court in Chriſtian life: a worke worthy to be read and which deſerued to be ſet downe word by word, if it had not beene too long.

Theſe things are ſet downe at large in the 12 Booke of Sleidan.

The Pope hauing receiued the relation of theſe Prelates, cauſed many Cardinals to conſider of it, and after, that he might reſolue what to doe, propoſed it in the conſiſtory. Fryar *Nicholas Scomberg*, a Dominican Cardinall of S. *Siſtus*, *alias* of *Capua*, ſhewed, in a long diſcourſe, that that time comported not any reformation at all. Firſt hee put them in mind of the malice of man, which being ſtopped in one courſe, findeth a worſe, and that it is better to tolerate a knowen euil, which, becauſe it is in vſe, is not ſo much marueyled at, then by redreſſing that, to fall into another, which, being new, will appeare greater, and be more reprehended. Hee added that it would giue occaſion to the Lutherans, to bragge that they had inforced the Pope to make that reformation; and aboue all he conſidered that it would bee a beginning to take away not onely the abuſes, but the good vſes alſo, and to endanger the whole ſtate of religion. For by the reformation it would be confeſſed that the things prouided againſt were deſeruedly reprehended by the Lutherans, which would be a great abetting to their whole doctrine. On the other ſide, *Iohn Peter Caraffa*, Cardinal *Theatino*, ſhewed that the reformation was neceſſarie, and that it was a great offence to God to leaue it, and anſwered that it was a rule in Chriſtian actions, that as euill is not to be done that good may follow, ſo no good of obligation is to be omitted, for feare that euill may enſue. The opinions deliuered were diuers, and the finall concluſion was not to ſpeake any more of it vntill another time; and the Pope commaunded that the remonſtrance of the Prelats ſhould be concealed. But Cardinall *Scomberg* ſent a copie thereof into *Germanie*, which ſome thought was done by the Popes conſent, that it might appeare there was ſome deſigne in *Rome*, and ſome paines taken alſo for reformation. The copie was ſuddenly printed, and publiſhed, throughout all *Germanie*, and many wrote againſt it, both in Dutch and Latine. And the number of the Proteſtants increaſed daily in that Countrey, the King of *Denmarke*, and ſome Princes of the houſe of *Brandeburg* being entred into their league.

Cardinall *Caraffa* deſireth the reformation.

The Pope cõmandeth the remonſtrance of the Prelats to be concealed, but a copie of it is ſent into *Germanie* by Cardinall *Scomberg*.

The King of *Denmarke* becommeth a Proteſtant.

Nouember drawing neere, the Pope ſent out a Bull for conuocation of the Councell at *Vicenza*, and alledging the neceſſitie to prorogue the time, becauſe

The Councel is intimated at *Vicenza*, and three Legates appointed.

becauſe winter was at hand, hee did intimate it, for the firſt of May, the next yeere 1538. and appointed three Cardinals Legats for that place, *Lorenzo Campeggio*, Legate before for *Clement* the ſeuenth in *Germanie*, *Iames Simoneta*, and *Ierom Aleander* created Cardinals by himſelfe. 1538 PAVL 3. CHARLES 5.

So ſoone as this Bull went out, the King of *England* publiſhed another Manifeſt, againſt this new conuocation, and addreſſed it to the Emperor, Kings, and Chriſtian people, dated the eight day of Aprill, the ſame yeere 1538. that hauing before declared to the world, the manifold cauſes, why hee had refuſed the Councell, which the Biſhop of *Rome* fained hee would celebrate in *Mantua*, prorogued afterwards, without aſſignation of any certaine place, it ſeemed not conuenient to proteſt, as often as hee did excogitate a new way, and to refuſe that Councell, which the Pope made a colorable ſhew that hee would celebrate. He ſaid that that declaration defended his, and his Kingdomes cauſe, againſt all the attempts, that either *Paul*, or any other Pope could make; which hee was willing to confirme with this Epiſtle, to excuſe himſelfe for not going to *Vicenza*, more then hee would haue done to *Mantua*, though no man deſired a publike aſſembly of Chriſtians more then himſelfe, ſo that the Councell bee generall, free, and pious, ſuch as hee hath deſcribed in his proteſtation againſt the Councell of *Mantua*. And as nothing is more holy then a generall Conuocation of Chriſtians, ſo nothing is more preiudiciall and pernicious to religion, then a Councell abuſed for gaine and profit, or confirmation of errours. That it is called a generall Councell becauſe all Chriſtians may ſpeake their opinions; and that it cannot bee called generall, where onely they are heard, who are reſolued to put themſelues on the Popes ſide, in all matters, and where the ſame men are plaintifes, defendants, aduocates, and iudges. That all may bee ſaide of *Vicenza* which, in his declaration, hath beene ſaid of *Mantua*. And briefly repeating a ſhort contents thereof, hee ſaide, if *Frederick* Duke of *Mantua* hath not yeelded ſo much to the Popes authoritie, as to grant him his Citie in that manner that he would, why ſhould wee ſo much eſteeme it, as to goe whether hee pleaſeth? If the Pope hath power from God to call Princes whether hee will, why can hee not chooſe what place hee liſteth, and make himſelfe obeyed? If the Duke of *Mantua* can, with reaſon, denie the place which the Pope hath choſen, why cannot other Kings and Princes refuſe to goe thither? And if all Princes ſhould denie him their Cities, where would bee his power? what a thing would it haue beene if all men had put themſelues into the iourney, and being arriued there, ſhould haue beene ſhut out of doores by the Duke of *Mantua*? That which happened for *Mantua*, may happen likewiſe for *Vicenza*.

HENRY 8. FRANCIS 1.

Another Manifeſt publiſhed by the K. of *England*.

The Legates went to *Vicenza* at the time appointed, and the Pope to *Nizza* in *Prouence* at the ſame time, to ſpeake perſonally with the Emperour, and French King, which hee gaue out was onely to make peace betweene thoſe two great Princes; though his principall ende was to draw the Dukedome of *Milan* into his houſe. There the Pope, amongſt other things, deſired them both to ſend their Ambaſſadours to the Councell, and to cauſe the Prelats which were in their traines to goe alſo, and to giue order that thoſe that were at home in their Kingdomes ſhould begin their voyage thither. For

The Legates go to *Vicenza*.

A conference in *Nizza* betweene the Pope, French K. and King of *Spaine*.

1538 Pavl 3. Charles 5. Henry 8. Francis 1.

giuing the order they both excuſed, and ſaid, that firſt it was fit to informe themſelues by the Prelates, of the neceſſities of their Churches; and for ſending thoſe that were preſent, that it would be hard to perſwade them to goe before they had conſulted with others. The Pope was ſo eaſily ſatisfied with the anſwere, that it was doubted, whether hee more deſired the affirmatiue, or the negatiue. Therefore this Treatie being vnprofitable, as were all his other in that meeting, hee went his way, and, being at *Genua*, in his returne, receiued letters from his Legates, who were at *Vicenza*, yet alone without any Prelate; wherefore hee recalled them, and by his Bull, dated the eight of Iulie, prolonged the terme of the Councell vntill the next Eaſter day.

The Councel is deferred vntill Eaſter.

This yeere, the Pope brake the wiſe patience, or rather diſſimulation, which, for foure yeeres together, hee had vſed towards *England*, and ſent againſt the King a terrible thundering Bull, ſuch as neuer was vſed by his predeceſſours, nor imitated by his ſucceſſours. Which fulmination, hauing its originall from the Manifeſts, publiſhed againſt the Councell of *Mantua*, and *Vicenza*, my purpoſe requireth, I ſhould make mention thereof. Beſides, for the vnderſtanding of many accidents which ſhall bee related heereafter, it is neceſſarie to repeate this euent, with the particulars of it.

The Pope thundereth againſt the K. of *England*.

The King of *England* hauing denied his obedience to *Rome*, and declared himſelfe head of the Engliſh Church, the yeere 1534. as hath beene ſaid in its place, Pope *Paul*, immediately after his aſſumption, was continually inſtigated by the Emperour for his owne intereſts, and by the Court, which thought by that meanes, either to regaine *England*, or ſet it on fire, to fulminate againſt that King: which hee, as a man well experienced in the world, iudged would bee to little purpoſe; conſidering, that if the thunders of his predeceſſors neuer had good ſucceſſe, when they were beleeued and feared by all, there was leſſe hope they could effect any thing, after a doctrine was publiſhed, and receiued by many, which did contemne them. Hee thought it wiſdome to hold a weapon within the ſcabberd, which had no other edge but what was giuen by the opinion of thoſe againſt whom it was vſed. But the beheading of the Cardinall of *Rocheſter* happening in the yeere 1535, the other Cardinals were earneſt in remonſtrating vnto him what a ſhame, and how great a danger it was to the Order, which euer was eſteemed moſt ſacred and inuiolable, if ſuch an example ſhould bee ſuffered to paſſe. For the Cardinals defend the Popedome boldly with all Princes, becauſe they are aſſured of their liues: which aſſurance, when it ſhall be taken away, and made knowne to the Seculars, that the Cardinals may bee iuſticed, they ſhould doe their buſineſſe with two much feare: Notwithſtanding, the Pope forſooke not his reſolution, but found a temper, neuer vſed by any of his predeceſſors, to lift vp the thunderbolt with his hand, and to threaten to ſhoote, yet to hold it without flinging it abroad, and ſo to ſatisfie the Cardinals, the Court, and others, and not to put the Papal authoritie in hazard. Therefore he framed a Proceſſe and moſt ſeuere ſentence againſt that King, the thirtieth of Auguſt 1535. and withall ſuſpended the publication, during his pleaſure. Yet ſecretly he let the copie goe into the hands of ſome

that

that hee knew would cause it to bee deliuered to the King, dispersing the rumor of the Bull that was framed, and the suspension, with fame, that very suddenly he would remoque the suspension, and come to publication, yet with deseigne neuer to proceed so farre. 1538

PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

And though hee wanted not hope, that the King either for feare of the excommunication framed, or by the inclination of his people, or by the facietie of punishments, vsed against those that disobeyed his Decree, would induce himselfe, or by the mediation of the Emperour, or French King, (when by reason of the occurrences of the world, he should bee constrained to vnite himselfe with either of them) would bee induced to yeeld; yet hee was principally moued by the forenamed cause, that he might not shew the weakenesse of his weapons, and more confirme the King in his separation. But in the end of three yeeres he changed his purpose, by reason of the prouocation which the King seemed to vse against him, by sending out manifests against all his callings of the Councell, and by opposing his actions, though without particular offence of his person, and lastly, by hauing prosecuted, cited, & condemned S. *Thomas* of *Canterbury*, for a traitour to the kingdome, with confiscation of goods, whom *Alexander* the third canonized in the yeere 1171. for being slaine in defence of the Ecclesiastical power and liberty, whose solemne feast the Church of *Rome* doth annually obserue: which sentence was executed by taking the bones out of the graue, which were publikely burned by the hangman, and the ashes sprinkled in the riuer, putting his hands into the treasures, ornaments and reuenues of the Churches dedicated to him, which was to touch a secret of the Popedome, of farre greater importance then the matter of the Councel. Whereunto ioyning some hope which hee conceiued from the conference with the French King, which was, that hee would assist the malcontents of *England*, so soone as hee was free from the warres with the Emperour, the 17. of December he brandished the thunder-bolt of excommunication, made three yeeres before, and opened his hand to cast it foorth, which all this while was readie to doe it. The causes alleadged were in substance these. The diuorce, obedience taken away, the death of the Cardinall of *Rochester*, and the proceeding against S. *Thomas*. The punishments to the King were, depriuation of his Kingdome, and to his adherents, of whatsoeuer they possessed, commanding his Subiects to denie him obedience, and strangers to haue any commerce in that kingdome, and all to take armes against, and to persecute both himselfe and his followers, granting them their states and goods for their pray, and their persons for their slaues.

The King of *England* feareth S. *Thomas* Beckit.

The causes of the excommunication, and the punishments.

But how much the Popes Briefe was esteemed, and his commandements obserued, the leagues, confederations, peaces, treaties, which by the Emperour, French King, and other Catholique Princes, were made with that King, doe euidently declare.

The excommunication was generally contemned.

In the beginning of the yeere 1539, new controuersies being raised in *Germanie* about religion, and perhaps by men of bad intentions, who vsed it but for a pretence, there was an assemblie held in *Francfurt*, whither the Emperour sent a commissioner; and after long disputation there, it was by his consent concluded, the 19. of Aprill, that there should be a conference 1539

An assembly is holde in *Francfurt* about religion.

1539
Pavl 3.
Charles 5
Henry 8.
Francis 1.

in *Noremberg* the firſt of Auguſt, to treate quietly and louingly of Religion, where on the one ſide and the other, beſides the Doctors, other perſons of wiſedome were to be preſent, ſent by the Emperour, King *Ferdinand*, and other Princes, to ſuperintend at the colloquie, and deale betweene the parties: and what was determined by common conſent, ſhould be ſignified to all the orders of the Empire, and ratified by the Emperor in the next Diet. The Catholikes would haue the Pope intreated to ſend alſo ſome perſon to the conference: but the Proteſtants thought it contrary to their proteſtation; and therefore it was not done. This newes of the aſſembly being arriued at *Rome*, the Pope was offended, as well becauſe there ſhould be a treatie about Religion in *Germanie*, as becauſe it derogated from the credit of the Councell intimated, though he cared very little to haue it celebrated; and more particularly becauſe there was a diſpute to admit of one to bee ſent by him, and in the end his authoritie wholly reiected. Therefore hee ſuddenly diſpatched into *Spaine* the Biſhop of *Monte Pulciano*, whoſe principall meſſage was to perſwade the Emperour not to confirme, yea, rather to annihilate the Decrees of that Diet.

Whereat the Pope was much offended.

The Nuncio had a great and long inſtruction, firſt, to complaine grieuouſly of the demeanor of *Iohn Veſſalius*, Archbiſhop of *London*, his Commiſſary, who forgetting his oath made to that Sea, and infinite Benefits receiued from the Pope, and the inſtruction giuen him by the Emperour, had conſented to the demands of the Lutherans, with preiudice of the Apoſtolique Sea, and diſhonour of his imperiall Maieſtie. That *London* was corrupted with gifts and promiſes, the Citie of *Auſburg* hauing giuen him 250. thouſand Florins of gold, and the King of *Denmarke* promiſed him 4. thouſand Florins yeerely, out of the fruits of his Archbiſhoprique of *London*, which was taken from him. That he thought to take a wife, and forſake the Church, and had neuer entred into holy orders. The Nuncio had commandement to ſhew to the Emperour, that if the things which *London* had graunted, were confirmed by him, they would ſhew that hee was not a ſonne of the Apoſtolique Sea; and that all the Catholique Princes of *Germanie* complained thereof, and were of opinion that his Maieſtie would not confirme them. Hee gaue order alſo to propoſe vnto him his intereſts concerning the Dutchie of *Ghelderland*, and the election of the King of the Romans, to moue him the more; putting him alſo in minde that he could not haue *Germanie* at his diſpoſition, by tolerating the Lutheran hereſies, as *London* and others did perſwade. For it is a thing long ſince knowen, that principalities cannot in likelihood be preſerued where Religion is loſt, or where two religions are ſuffered. That this happened to the Emperors of the Eaſt, who hauing abandoned the obedience due to the vniuerſall Biſhop of *Rome*, loſt their forces & kingdoms. That the cunning of the *Lutherans* was manifeſt, who haue proceeded maliciouſly with his Maieſtie, and that, vnder the colour of eſtabliſhing their Religion, they do euer procure ſomthing elſe. That an example thereof was the Diet of *Spira* in the yeere 1526, of *Noremberg* 1532, and of *Calano* 1534. when the Duke of *Wittenberg* regained the Dutchie, which ſhewed that thoſe commotions of the Landgraue and the Lutherans were not for religion, but to take that ſtate from the King of the *Romanes*.

He ſendeth a Nuncio to the Emperor.

A Citie in *Denmarke*.

That

1539
PAVL. 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

That he ſhould put him in minde that, when hee made an accord with the Lutheranes, the Catholique Princes would not endure ſuch a diſorder, that his Maieſtie ſhould haue more power ouer them then ouer the Proteſtants, and would thinke vpon new remedies. That there are many other lawfull and honeſt wayes to reduce *Germany*, the Pope being reſolued to affoord him all poſſible aide, according to the proportion of his forces. And when his Maieſty ſhall haue well thought thereon, he will finde that theſe capitulations cannot be approoued, without making all *Germany* Lutheran; which were wholly to depriue himſelfe of authority. For that Sect excludeth all ſuperiority, extolling liberty, or rather licence aboue all. That he ſhould put into the Emperours head to augment the Catholique League, and to take from the Lutheranes their adherents, as much as hee could, and to ſend as much money as was poſſible into *Germanie*, to promiſe, and really to giue it to thoſe that follow the Catholique league. That it were good alſo, vnder colour of Turkiſh affaires, to ſend a competent number of Spaniards or Italians into thoſe parts, lodging them within the territories of the King of the Romans. That the Pope was reſolued to ſend ſome perſon to the Catholique Princes, with money, to gratifie thoſe that ſhall bee fit for his purpoſe. That hee ſhould exhort *Cæſar*, to make ſuch an Edict, as the King of *England* made in his Kingdome, cauſing a rumour to bee ſpread cunningly, that his Maieſty negotiated with the ſaide King, to reduce him to the obedience of *Rome*. The Pope gaue commiſſion alſo to the ſaide *Montepulciano* to complaine to the Emperour, that his ſiſter, Queene *Mary*, Gouerneſſe of the low Countries, ſecretly fauoured the Lutherane part, that ſhee purpoſely ſent men vnto them, that, when the Catholique league was to be eſtabliſhed, ſhee wrote to the Elector of *Triers*, that hee ſhould not enter into it, and ſo that good worke was croſſed; that ſhee hindered the Lord of *Lauaur*, the French Ambaſſadour, from going into *Germanie*, to conſult with the King of the Romanes and the Legate of his Holineſſe about religion: which he did beleeue proceeded not from her owne will, but from the counſell of her bad miniſters.

The Nuncio complayneth againſt the Emperours ſiſter Gouerneſſe of the low Countries.

But becauſe mention is made of the Edict of the King of *England* in matter of Religion, it will not bee amiſſe to recount heere, how *Henry* the eight in the time of the Diet of *Francfort*, either becauſe he thought to do God ſeruice by not permitting innouation of religion within his Kingdome, or to ſhew conſtancy in what he had wrote againſt *Luther*, or to giue the Pope the lie, who laid an imputation vpon him in his Bull, that hee had publiſhed hereticall doctrine in his Kingdome, made a publique Edict, whereby hee commanded that the reall preſence of the true and naturall body and blood of our Lord Ieſus Chriſt, vnder the kindes of bread and wine, there remaining no ſubſtance of thoſe elements, was to be beleeued throughout all *England*, as alſo that Chriſt was wholly contained vnder the one and the other kinde; that the communion of the Cup was not neceſſary; that it was not lawfull for Prieſts to marry; that religious men, after their profeſſion and vowes of chaſtity, were bound alwayes to keepe them, and to liue in Monaſteries; that ſecret and Auricular confeſſion was not onely profitable but alſo neceſſary; that the celebration of Maſſe euen priuate, was an

The Edict of religion made by King *Henry* the 8.

1539
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

holy thing, which hee commanded ſhould bee obſerued in his Kingdome He prohibited all to doe or teach any thing contrary to theſe articles, vpon paine to be puniſhed as heretiques. It is to bee marueiled at how the Pope, who a little before thundered againſt that King, was conſtrained to praiſe his actions, and to propoſe him to the Emperour for an enſample to be imitated. So a mans proper intereſt makes him commend and blame the ſame perſon.

A conſultation about the Councel.

But the Pope, after he had diſpatched *Montepulciano*, ſeeing that by calling the Councell, and after deferring it, though he entertayned the world, yet hee loſt reputation, thought it neceſſary to leaue that ambiguous proceeding, which howſoeuer it had giuen men ſatisfaction heeretofore, yet in progreſſe of time it might produce ſome ſiniſter effect. And hee made a ſecret reſolution, to declare himſelfe, and to forſake ambiguities; and in the conſiſtory, hauing related what had happened, and propoſed that it was neceſſary to make a conſtant and firme reſolution, hee put the matter in conſultation. Some of the Cardinals, to deliuer themſelues from feare, which euery other day amazed them, did not approue the ſuſpenſion, but deſired an expreſſe declaration that there ſhould bee no Councell at all, becauſe it appeared not how the difficulties could bee ouercome, before there was a reconciliation betweene Princes, a neceſſary meanes, without which there was no hope it could bee celebrated. But the wiſer ſort were balanced betweene this and another feare, that there might bee Nationall Councels, or other remedies vſed, more offenſiue to them then a generall Synode; and therefore the maior part gaue conſent for the ſuſpenſion during pleaſure: thinking that when it ſhould ſeeme not fit to bring it to effect, it might bee continued, by pretending the diſcord between Princes, or ſome other thing; and that if there happened any danger of a Nationall Councell, or of Colloquies, or ought elſe, it might bee remooued by promoting the Generall Councell, and aſſigning vnto it place and time; and afterwards it might be called, or let alone, as time ſhould aduiſe. The match was made, and a Bull was framed the thirteenth of Iune, by which the Councell intimated was ſuſpended during pleaſure of the Pope and the Apoſtolicall Sea.

The Councel intimated is ſuſpended during pleaſure.

But *Montepulciano* the Nuncio, who went into *Spaine*, executed his commiſſions with the Emperour; who, either for the cauſe alledged by the Nuncio, or for ſome reſpects of his owne, declared not himſelfe whether hee diſſented or aſſented to the Colloquie, appointed to be held at *Noremberg* in Auguſt. Afterwards, by reaſon of his wiues death, and the rebellion of *Gant*, with part of the low Countries, hee had occaſion, by pretending affaires of greater importance, to leaue the matter in ſuſpence, and ſo the whole yeere 1539. paſſed.

When I ſet my ſelfe to write this Story, conſidering the numher of Colloquies, ſome onely intimated, and ſome held, to compoſe the differences in religion, I doubted whether it was fit to make mention of all, hauing concluding reaſons for the one part and the other. In the end, conſidering that I haue propoſed to my ſelfe to relate all the cauſes of the Councel of Trent, and obſeruing that none hath beene intimated or held, but to hinder, or diuert, or delay, or to haſten and accelerate the Councel, I reſolued to make

mention

mention of euery one, especially for the fruit which may be gathered from the knowledge of the notable particulars which happened in them: as in that which was appointed the yeere following, which had his beginning thus. 1540 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

The Emperour went to the low Countries by the way of *France*, to accommodate those seditions, and *Ferdinand* met him there where one of the most principall businesses, conferred of betweene them both, was to finde a way of cõposition for matters of religion in *Germanie*, which beeing exactly handled by the body of the Emperours Councel, all did incline to institute a Colloquie heerein. 1540

This comming to the eares of *Farneſe*, who was Legate there, and had accompanied the Emperour in the voyage (which Cardinall, though a youth, vnder the age of twenty yeeres, yet had in his company many persons fit for businesse, and, amongst others, *Marcellus Ceruinus*, Bishop of *Nicastro*, who after was Pope, and called *Marcellus* the second) hee opposed this resolution, and treating with the Emperor, *Ferdinand*, & with all those of the Councell, he put them in mind, that the Protestants had beene often dealt withall, for peace, beginning ten yeares since in the diet of *Ausburg*, but still without effect. And in case any conclusion had beene made, it would haue bin vaine and fruitlesse. For they daily change their opinion, not following any certaine doctrine, and haue opposed euen their owne *Augustan* confession. That they are slipperie as Eeles. First they were desirous that the abuses and vices should be remooued; now they will not haue the Papacie amended, but extinguished, and the Apostolicall Sea, rooted out; and all Ecclesiasticall iurisdiction abolished. And if euer they were petulant, they would be then much more, when the peace was not well confirmed with *France*, and the *Turke* threatned *Hungarie*. That there was no hope to perswade them, because the controuersies were vpon innumerable doctrines. And becruse there are many Sects among them, it is impossible to accord with all; besides, that the greater part of them hath no other end, but to possesse the goods of others, and bereaue the Emperour of his authoritie. It was true that the instant Turkish warre perswaded an agreement in Religion; but this was not to bee done in particular or Nationall Diets, but in a generall Councell, which might immediatly be intimated. For where Religion is in question, no mutation can be made without common consent. That *Germanie* is not onely to bee respected, but *France*, *Spaine*, *Italy*, and other people; without whose counsell if *Germanie* shall make a change, there will arise a dangerous diuision of that Prouince from the rest. That it was a most ancient custome, euen from the time of the Apostles, to compose controuersies with a Councell onely, and that now all Kings, Princes, and godly men desired it. That peace may now easily be concluded betweene the Emperor and King of *France*, & immediatly after a Councell called, and in the meane space indeauours may be vsed to increase the number and power of the Catholique league of *Germanie*, which, by intimidating the Protestants, will cause them to submit themselues to the Councell, or at the least they will bee enforced by the Catholiques; and when it shall be necessary to resist the *Turke*, the Catholique league, being strong, may constraine the Protestants to contribute: which in

Cardinal *Farneſe* the Popes Legate diſſuadeth the Colloquie.

case

1540
PAVL 3.
CHARLES 5.
HENRIE 8.
FRANCIS 1.

case they will not doe, it was necessarie of two euils to chuse the lesser, it being a greater fault to offend God by abandoning the cause of Religion, then to want the assistance of one part of a Prouince. And the rather, because it is not easie to iudge who are more contrary to Christ, the Protestants or the *Turkes*. For these desire to enthrale our bodies, but those, both bodies and soules together. All the discourses, and parlies of the Cardinal had for their conclusion, that it was fit to call a Councell, and to begin it that same yeere, and not to treate of Religion in the Diets of *Germanie*, but to labour to augment the Catholique league, and to make peace with the King of *France*.

The Emperour after much deliberation, concluded that he would labour for a concord, and gaue order for a Diet to be held in *Germanie*, where *Ferdinand* thought good, inuiting the Protestant Princes to be there in person, and promising publique securitie vnto all. Cardinall *Farnese*, hearing of this conclusion, made without his knowledge, went immediatly away, and passing by *Paris*, obtained of the King a seuere edict against the heretiques, and Lutherans, which being published, was executed in that citie, and after throughout all *France* with much rigor.

The Legate departeth.

The Diet of *Aganoa* about Religion.

In *Germanie* the Diet was called by *Ferdinand* in *Aganoa*, where the Catholique Doctors, and many Protestant Preachers and Ministers met together; and the Elector of *Triers*, the *Palatine*, Duke *Lewis* of *Bauaria*, and *William*, Bishop of *Argentina*, were deputed for mediators betweene the parties. The Protestants being required to present the heads of the doctrine in controuersie, answered, that they had giuen vp their confession in *Ausburg* ten yeares since, and an Apologie in defence of it; that they perseuered in that doctrine, and were ready to giue an account thereof vnto all men: and not knowing what the aduersaries reprehended, they had no more to say, but expected to vnderstand from them what it was they esteemed contrary to truth, for so the matter wil come to a conference, & thẽselues wil not faile to set peace before their eyes. The Catholiques took them suddenly at their word, & assenting to what the others proposed, inferred that it was fit to esteeme for approued all things passed in that Diet, and to account the Decree firme and stable which was published in the Receesse, and to lay before them the forme of reconciliation begun in that Diet. The Protestants, knowing their disaduantage, in case they followed that forme, and the preiudice which that decree would haue inferred, vrged for a new forme, and to haue all the preiudices taken away. On the other side, the Catholiques demaunded, that in regard all preiudice was to be remoued, those things that the Protestants had done should be rectified, and the Church goods, taken by them, restored. The Protestants replyed, that the goods were not taken away, but, by renouation of the true doctrine, were reapplied to those lawfull and honest vses, vnto which they were destinated in their first institution, from which the Clergie had degenerated, and therefore that it was necessary to decide the points of the doctrine before they talked of the goods. And the contentions increasing, *Ferdinand* concluded that a new forme, not preiudicial to any, should be instituted, that the Doctors that treated on both sides should be equall in number, and that it should be lawfull for the Pope to send his Nuncij thither, & that the place of the Colloquie should be changed, which should begin in *Wormes*

Wormes, the eight and twentieth of October next, if the Emperour thought good. The Protestants accepted the Decree, declaring, that they refused not the presence of the *Nuncy*, but intended not to attribute thereby any primacie to the Pope, nor authoritie to them. 1540 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

The Emperour confirmed the Decree, and gaue order for the assembly, and appointed *Granuel* for his Commissioner there: who going thither with his sonne, the Bishop of *Arras*, who after was Cardinall, and three Spanish Diuines, began the Colloquie, and made a very godly discourse, and fit for pacification. A few dayes after, there arriued *Thomas Campeggio*, Bishop of *Feltre*, Nuncio to the Pope. For his Holinesse, though hee saw that euery treatie of religion in *Germanie* was pernicious to his affaires, and therefore had vsed all diligence to breake off that conference, yet hee thought it lesse hurt to giue consent vnto it, then suffer it to bee done against his will. The Nuncio, according to the Popes instruction, at his entrie, made a discourse, that the quiet of *Germanie* was alwayes procured by the Popes, and especially by *Paulus* 3. who for that cause, had intimated a generall Councell in *Vicenza*, howsoeuer hee was constrained to deferre it, vntill another time, because no man went thither, and now was resolued to intimate it againe, in amore conuenient place: in which, that the matter of religion might be handled with fruit, hee had graunted to the Emperour, that a Colloquie might bee held in *Germanie*, which might bee an entrance, to dispose them to the resolution of the Councell, and had sent him to bee present there, and to assist. Therefore hee prayed them all to aime at concord, promising that the Pope would doe, whatsoeuer with pietie hee could. There arriued also the forenamed Bishop of *Capo d' Istria*, who, though sent by the Pope, as one who well vnderstood the humors of *Germanie*, yet came as sent from *France*, that hee might doe the Pope better seruice vnder another name. Hee caused an Oration to bee printed, the subiect whereof was, the vnitie and peace in the Church, but the scope to shew that a Nationall Councell, was not the meanes to attaine thereunto. And this hee distributed amongst as many men as hee could, to interrupt the Colloquie, which had a resemblance of it. Much time was spent, in giuing forme to the conference, as well for secrecie, as for the number of the Doctors which were to speake. And there were some who studiously protracted the time, as well for the diligent indeuours of the Nuncio *Campeggio*, as the secret negotiations of *Vergerius*. Finally it was ordered that *Iohn Ecchius* should speake for the Catholikes, and *Philip Melancthon* for the Protestants, and that the subiect should bee originall sinne. While these things went on in *Wormes*, the Popes Nuncio, residing with the Emperour, ceased not to perswade his Maiestie, that that Colloquie would bring foorth some great schisme, and make all *Germanie* Lutheran, and not onely take obedience from the Pope, but weaken his owne also. Hee repeated the same conceits which *Monte-Pulciano*, vsed to hinder the Colloquie appointed in the Diet of *Franckfort*, and those that were vsed by Cardinall *Farnese* to hinder that of *Agnoa*. In conclusion, the Emperour, considering these reasons, and the aduices giuen him by *Granuel*, of the difficulties which hee incountred, thinking to doe the worke better in his owne person, hee resolued the Colloquie should not proceed. Wherefore *Ecchius* and *Melancthon*

A Colloquie in *Wormes* without effect.

To which the Pope sendeth a Nuncio.

The Pope sendeth another Nuncio vnder a false name.

1541
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

lancthon hauing ſpoken three dayes, the conference was interrupted. For letters came from the Emperor, which recalled *Granuel*, and referred the reſt to the Diet in *Ratisbon*.

1541 The Diet of *Ratisbon*.

That began in March 1541. The Emperour was perſonally preſent, with great hope to end all diſcords, and to vnite *Germanie* in one Religion. For which purpoſe hee alſo had deſired the Pope to ſend a Legate, a man learned and diſcreete, with moſt ample authoritie, that there might bee no neede to ſend to *Rome* for any thing, but all might bethere immediatly determined, which by the Diet and the Legate ſhould bee thought conuenient; ſaying, that for this end hee had yeelded to the great importunitie of the Nuncio reſiding with him, to breake off the Colloquie of *Wormes*.

Iaſper Contarini the Popes Legat in *Ratisbon*.

The Pope ſent for his Legate *Iaſper* Cardinall *Contarini*, a man much eſteemed, for his ſingular honeſtie and learning, and put alſo into his company men inſtructed in all the intereſts of the Court, with Notaries to make inſtruments of whatſoeuer ſhould bee handled or ſpoken: hee gaue him commiſſion, that if hee foreſaw they went about to doe any thing which might tend to the diminution of the Papall authoritie, hee ſhould interrupt it, by propounding a generall Councell, the onely and true remedie; and in caſe the Emperour were forced to yeeld to the Proteſtants in any preiudiciall matter, hee ought to forbid it by the Apoſtolique authoritie, and, if it were done, to condemne it, and declare it voide, and to leaue the Diet, but not the Emperours companie.

His inſtruction.

His firſt negotiation with the Emperor.

Being arriued at *Ratisbon*, the firſt thing hee had to doe with the Emperour, was to excuſe the Pope, that hee had not giuen that ample authoritie, and abſolute power which his Maieſtie deſired. Firſt, becauſe it is ſo annexed to the very bones of the Papacie, that it cannot bee granted to any other; ſecondly, becauſe neither words nor clauſes are found, by which the authoritie of determining controuerſies of faith can bee communicated by the Pope, the priuiledge of not being able to erre being giuen to his perſon onely; in thoſe words, *I haue prayed for thee, Peter*: But that the Pope had giuen him all manner of power to agree with the Proteſtants, ſo that they denie not the Principles, which are, the Primacie of the Apoſtolique Sea, inſtituted by CHRIST, the Sacraments, as they are taught in the Church of *Rome*, and what elſe is determined in the Bull of *Leo*, offering in other things to giue *Germanie* all ſatisfaction. And hee deſired his Maieſtie not to giue eare to the propoſe of any thing not fit to bee granted, without the priuitie of other nations, to auoide all dangerous diuiſion in Chriſtendome. It is neceſſarie to make particular mention of the things that paſſed in that Diet, becauſe that was the principall cauſe which induced the Pope not onely to conſent, as before, but to vſe all indeuours that the Councell might bee celebrated, and which aſſured the Proteſtants, that neither in Councell nor in any other place, where any miniſter of the Pope was preſent, they could hope to obtaine any thing.

The firſt action began the fifth of April; and it was deliuered in the Emperours name, that his Maieſtie, ſeeing the Turke entred into the bowels of *Germany* (the cauſe whereof was the diuiſion of the States of the Empire for the difference in religion) had alwayes ſought a meanes of pacification;

and

and that of the Councel seeming vnto him most commodious, he went purposely into *Italy* to treat thereof with Pope *Clement*: and after, not beeing able to bring it to effect, he returned, and went in person to *Rome*, to make the same negotiation with Pope *Paul*, in whom he found much readinesse: But not being able to effect any thing, by reason of diuers impediments of warre, hee had finally called that Diet, and besought the Pope to send a Legate thither. Now hee desired nothing but that some composition might be made, and that some small number of godly and learned men might bee chosen on either side, to conferre vpon the controuersies, in friendly maner, without preiudice of either of the parties, and propose to the Diet the meanes of concord, that all being consulted with the Legate, the wished conclusion might be attained. Suddenly there arose a controuersie betweene the Catholiques and Protestants, about the manner of choosing those that should treat. Wherefore the Emperour beeing desirous that some good should bee done, demanded, and obtayned of either party, power to nominate the persons, desiring them to beleeue he would do nothing but for the common good. For the Catholiques he elected *Iohn Ecchius*, *Iulius Flugius*, and *Iohn Groperus*; and for the Protestants, *Philip Melancthon*, *Martin Bucer*, and *Iohn Pistoria*: whom he called to him, and grauely admonished them to abandon all passion, and to ayme onely at the glory of God. He made *Frederique*, the Prince Palatine, and *Granuel* Presidents of the Colloquie, adding vnto them some others, that all might passe with the greater dignity. When the assembly was made, *Granuel* published a booke, and saide it was giuen to the Emperor, hy some godly and learned men, as a direction for the future concord, and that his will was they should read and examine it, that it might serue for an argument and subiect of what they ought to treat; that that which pleased all, might bee confirmed, that which displeased all might bee corrected, and in that wherein they assented not, meanes might bee vsed to reduce them to an agreement. The booke contained 22. Articles. The creation of man, the integrity of nature, free will, the cause of originall sinne, Iustification, the Church, her signes, the signes of the word of God, penance after sinne, the authority of the Church, the interpretation of the Scripture, the Sacraments, Order, Baptisme, Confirmation, the Eucharist, Penance, Matrimony, extreame Vnction, charity, the Ecclesiasticall Hierarchie, the articles determined by the Church, the vse, administration, and ceremonies of the Sacraments, Ecclesiasticall discipline, and discipline of the people. It was read and examined, and some things were approoued, some things amended by common consent, and in others they could not agree. And these were, the ninth, of the power of the Church, the foureteenth, of the Sacrament of Penance, the eighteenth, of the Hierarchie, the 19. of the articles determined by the Church, the 21. of single life. In these they differed, and either partie wrote his opinion.

1541
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The first action of the Diet in *Ratisbon*.

The names of the disputants

A booke giuen to the Emperour as a direction for the future concord.

This being done in the assembly of all the Princes, the Emperor required the opinions of them all concerning the things agreed on, and the different opinions of the Collocutors, and withall proposed the amendment of the state of the Common-wealth, as well ciuill as Ecclesiastical. The Bishops reiected absolutely the Booke of the concord, and whatsoeuer was done in the Colloquy;

1541
PAVL 3.
CHARLES 5.
HENRIE 8.
FRANCIS 1.

Colloquie; vnto whom the other Electors and Catholike Princes, deſirous of peace, agreed not: and it was concluded, that the Emperour, as aduocate of the Church, together with the Apoſtolike Legat, ſhould examine the things agreed on, and if any thing were obſcure, ſhould cauſe it to be expounded, and ſhould treat with the Proteſtants, that, concerning the things in controuerſie, they ſhould conſent to ſome Chriſtian forme of concord. *Cæſar* imparted all to the Legat, and vrged him that the Eccleſiaſticall State ought to be reformed. The Legat, after he had conſidered of all the buſineſſe, anſwered in writing, not more perſpicuouſly then the ancient Oracles; in this manner. That hauing ſeene the booke preſented to the Emperor, and what was written by the deputies of the Colloquie, as well the explications of either party, as the exceptions of the Proteſtants, it ſeemed that the Proteſtants, differing in certaine articles from the common conſent of the Church (in which notwithſtanding he deſpaired not, that, with the help of God, they might be induced to agree) nothing ſhould be ordered concerning the reſidue, but referred to the Pope and the Apoſtolique Sea, who, either in the generall Councell, or ſome other way, if there ſhall be cauſe, will define them according to the Catholique trueth, with regard vnto the times, and what ſhall bee expedient for the Chriſtian Common-wealth, and for *Germanie*.

The Legate ſpeaketh like an Oracle.

But for reformation of the Cleargie, hee promiſed all readineſſe, and, to that end, called into his houſe all the Biſhops, and made them a long exhortation. Firſt for their manner of liuing, that they ſhould abſtaine from all ſcandall, and appearance of luxurie, auarice, and ambition. For their family, that they ſhould vnderſtand that from it the people made coniecture of the manners of the Biſhop, that, the better to keepe their flocke, they ſhould remaine in the moſt inhabited places of the Dioceſſe, & haue diligent watchmen elſe-where, that they ſhould viſite the Dioceſſes, giue the benefices to honeſt and fit men, ſpend their reuenues vpon the neceſſitie of the poore, flying not onely luxurie, but all ſuperfluous pompe, make prouiſion of godly, learned, diſcreete, and not contentious Preachers, procure that the yonger ſort be well brought vp, becauſe by this meanes the Proteſtants draw all the Nobilitie vnto them. Hee committed this oration to writing, and gaue it to the Emperour, to the Biſhops, and the Princes; which gaue occaſion to the Proteſtants to taxe the anſwer made to *Cæſar*, together with the exhortation made to the Prelats: alledging for their motiue, that, the writing being publiſhed, they ſhould ſeeme to approoue it, if they diſſembled the knowledge of it. His anſwere made to the Emperour pleaſed not the Catholiques, becauſe it appeared that he did approoue the things agreed on in the conference.

The exhortation of the Legat *Contarini*, made to the Prelats.

But the Emperour related in publique Diet whatſoeuer was done vntill that time, and communicated vnto them the writings of the Legat, and concluded, that hauing vſed all poſſible diligence, he ſaw not what more could be done, but onely to deliberate, whether (ſauing the receſſe of the Diet of *Ausburg*) the articles agreed on in this conference, ought to bee receiued, as being Chriſtian, nor any more to be diſputed of, at the leaſt vntill a generall Councel, which ſhall be held very ſhortly, (of which opinion the Legat ſeemed

The Emperors opinion concerning Religion, to which the Legat doth agree.

med to bee) or, in case there were no Councell, vntill a Diet, where all the controuersies of religion may bee exactly handled. 1541

Pavl 3. Charles 5. Henry 8. Francis 1.

The Electors approued for good, and vndoubtedly profitable, that the Articles agreed on in the conference, should by all be receiued, vntill the time of the Councell, in which they may bee examined againe; or, in case that faile, in a Nationall Councell, or Diet, because it would serue to make a perfect reconciliation in the Articles, not accorded as yet. But yet they prayed his Maiestie to goe on, if there were any hope to make any further agreement in that Diet: and if opportunity serued not, they thought it good, that, by his fauour, a generall or Nationall Councell, might bee called in *Germanie*, as soone as might bee, that the vnion might wholly be established. The Protestants made the same answere, onely declaring themselues, that as they desired a free and Christian Councell in *Germanie*, so they could not consent to any, where the Pope and his Ministers, had power to heare and iudge the causes of religion. But the Bishops and some few other Catholike Princes, answered after another manner; first, confessing that in *Germanie*, and other Nations, there were many abuses, sectes, and heresies, which could not bee extirpated without a generall Councell; adding, that they could not assent to any change in religion, ceremonies, and rites, seeing that the Popes Legat offereth a Councell within a short time, and that his Maiestie will treate with his Holinesse thereof. But in case the generall Councell could not be celebrated, they desired that the Pope and Emperour would ordaine a Nationall Councell in *Germanie*; which if they would not doe, another Diet should bee assembled, to roote out the errours; and that they were resolued to adhere to the old religion, as it is contained in the Scripture, Councels, doctrine of the Fathers, and also in the Imperiall *Recesses*, especially in that of *Ausburg*. That they will neuer consent to receiue the Articles accorded in the Colloquie, because some of them are superfluous, as are the 4 first, and because there are words in them, not conformeable to the customs of the Church, besides some positions, which are partly damnable, and partly to be tempered, and because the Articles accorded, are of lesse moment, and those of consequence remaine in controuersie: and because the Catholikes of the Colloquie had granted too much to the Protestants, whereby the reputation of the Pope, & the Catholike states was wounded. They concluded it was better the acts of the Colloquie were left to their place, and whatsoeuer belonged to religion, deferred to a generall Councell, or Nationall, or a Diet. Not the opinion only of the Catholikes, that the Emperours proposition was too aduantagious for the Protestants, caused them to make this answere, but also because the three Catholike Doctors of the Colloquie dissented amongst themselues.

The answere of the Electors.

The answere of the Protestants.

The answere of the BB. and of the Catholike Princes.

But the Legate vnderstanding that the Emperour had named him, as consenting to the establishment of the things accorded, as well for feare, as at the instance of the Ecclesiastikes of the Diet, hee went to the Emperour and complained, that his answere was ill interpreted, and that hee was blamed for hauing giuen consent, that the things accorded, should be tolerated vntill the Councell; that his minde was, that nothing should bee resolued on, but all sent to the Pope, who promised by the faith of a good Pastour, and Vniuersall Bishop, that all should bee determined by a generall Councell, or

The Legate complaineth that his answere was misliken.

1541 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

by some other way, equiuallie, sincerely, and without passion, not hastily, but maturely, alwayes aymīng at the seruice of God. That his Holinesse had to the same end, in the beginning of his Papacie, sent letters and *Nuncij* to the Princes, to celebrate the Councell, and after did intimate it, and sent his Legats to the place; and if hee had indured so many treaties of religion in *Germanie*, with small reuerence of his authoritie, to whom onely it appertaineth to handle them, it was vpon his Maiesties purpose, and promise that all should bee for the best: that it was vnreasonable, that *Germanie* should assume that to her selfe, with iniurie to the Apostolike Sea, which belongeth to all nations of Christendome. Wherefore the Popes clemencie was no longer to be abused, by concluding that in a Diet, which belongeth to him, and the Church vniuersall; but saide, that the booke, and all the acts of the Colloquie, together with the opinions of both parties, was to bee sent to *Rome*, and the determination of his Holinesse to bee expected. And not satisfied with this, hee published a third writing, in which hee saide, that his writing giuen to the Emperour, concerning the treatie of the Colloquie being diuersly interpreted, some expounding it, as if hee had consented to the Articles accorded of, vntill the generall Councell, and others vnderstanding that hee had referred both these, and all other things to the Pope, to the end there may remaine no doubt herein, he declareth that in the writing he had no intention to decide any thing in this businesse, nor that any Article should bee receiued or tolerated vntill the future Councell, and least of all did then decide or define them, but had referred the whole treatie, and all the Articles thereof vnto the Pope, as hee did referre them still. Which hauing declared to the Emperour by word, hee would also declare and confirme it to the whole world in writing.

The Legate publisheth a writing to diswade all treaties about religion in a nationall Councel.

And hee was not contented with this, but, considering that all the Catholike Princes, euen the Ecclesiastikes, did agree in demanding a National Councel, and that, in his instruction, he had straight charge from the Pope to oppose himselfe when that should bee vrged, though they would doe it with his authoritie, and with the presence of the Apostolicall Legats, to shew what danger it would be to mens soules, & iniurie to the Popes authoritie, fro who would bee taken the power which God hath giuen him, and granted to one Nation, to put the Emperor in mind how himselfe, being in *Bolonia*, detested a National Councell, knowing it to bee pernicious to the Imperiall authoritie, because the Subiects, incouraged by seeing power giuen them to innouate in matter of religion, would think to doe the like in the temporall state, and that his Maiestie, after the yeere 1552. would neuer haue an Imperial Diet celebrated in his presence, lest she should giue occasion of demanding a Nationall Councell: he treated most seriously with the Emperour, and with euery one of the Princes, and besides published a writing addressed to the Catholikes. Hee said therein that hee had diligently considered what a preiudice it would bee, if the controuersies of doctrine should bee referred to the Councell of a Nation, and thought it his dutie to admonish them, that they should by all meanes remoue that clause, for that it was most manifest that questions of faith could not bee determined in a Nationall Councell, because it concerned the Vniuersall state of the Church, and if any

thing were determined therein, it would be voide and of no force. And, as in not celebrating such a Councell (as hee was perswaded they would not) they should doe a thing most acceptable to his Holinesse, who is head of the Church, and of all Councels, so the celebration of it would bee most offensiue to him. That it was a cleere case, that by this meanes greater seditions would arise in matter of Religion, as well in other Nations, as in that most noble Prouince. That hee would not omit this duetie, both to obey the instruction of his Holinesse, and not to be wanting to the charge of Legation layd vpon him. 1541 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

The Princes answered this writing of the Legate, that it was in his power to remedie all the inconueniences which might arise, by perswading his Holines, that a generall Councel might be intimated and celebrated without any more procrastination. That by this meanes all occasion of a nationall Councell (which all the States of the Empire desired and prayed for) would bee remooued. But if the generall Councel, so often promised, and last of all by himselfe, were not brought to effect, the manifest necessitie of *Germanie* required, that the controuersies should be determined in a nationall Synod, or in an imperiall Diet, with the assistance of the Popes Legate. The Protestant Diuines answered also in a long writing, and said, that neither greater seditions, nor any at all could arise, when the controuersies of Religion shall bee composed according to the word of God, and manifest vices corrected according to the doctrine of the Scripture, and the vndoubted Canons of the Church. That to determine of faith hath neuer been formerly denied to Nationall Councels, because CHRIST hath promised his assistance, where two or three shall bee assembled in his Name. That the number was great, not onely of Nationall Councels, but euen of a very few Bishops, which haue determined the controuersies, and ordered the manners of the Church in *Syria*, *Greece*, *Affrique*, *Italie*, *France*, and *Spaine*, against the errors of *Samosatenus*, *Arrius*, the *Donatists*, *Pelagius*, and other heretiques; whose determinations cannot bee called voide, of no force, and vaine, without impietie. That it hath beene granted to the Sea of *Rome* to bee the first, and to the Pope to haue the chiefest authoritie amongst the Patriarkes; but that it is not found in any Father, that hee hath beene called head of the Church, or of the Councels. CHRIST onely is head; *Paul*, *Apollos*, and *Cephas* are but Ministers of the Church. That what may be expected from *Rome*, the discipline there obserued so many ages, and the tergiuersation to celebrate a lawfull Councel doe declare.

The answere of the Princes to the writing.

The answere of the Protestant Diuines

But the Emperour, after long discussion, the 28. of Iuly made the Recesse of the Diet, remitting the whole action of the Colloquie vnto the generall Councell, or Nationall Synod of *Germanie*, or a Diet of the Empire. He promised to goe into *Italie*, and to treate with the Pope for a Councell; which, if he could not obtaine, either generall or Nationall, hee would intimate a Diet of the Empire within eighteene moneths, to settle the matters of Religion, and bee a meanes that the Pope should send thither a Legate. Hee commanded the Protestants to receiue no new opinions, but those that were agreed on, and the Bishops to reforme their Churches. He commanded that the Monasteries should not bee destroyed, nor the goods

1542
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

of the Church vſurped, nor any man ſollicited to change religion. And, to giue the Proteſtants greater ſatisfaction, hee added, that, concerning the doctrines not as yet accorded, he preſcribed them nothing; but that they ought not to deſtroy the Cloyſters of the Monkes, but reduce them to a holy and Chriſtian amendment, that the Eccleſiaſticall goods ſhould not be vſurped, but, left to the miniſters, without regard of diuerſitie of religion: that no man ſhould bee mooued to change his religion, but thoſe receiued who change it willingly. Hee ſuſpended alſo the Receſſe of *Ausburg*, for as much as concerned religion, and the things depending thereon, vntill the controuerſies were determined in a Councell or Diet.

A conference betweene the Pope & Emperor in *Lucca*

After the Diet was ended, *Cæſar* paſſed into *Italie*, and diſcourſed with the Pope in *Lucca*, concerning the Councell, and the Turkiſh warre; and concluded that the Pope ſhould ſend a Nuncio into *Germanie*, to take reſolution both in the one matter and the other, in the Diet which ſhould bee held in *Spira* in the beginning of the next yeere, and that the Councell ſhould bee held in *Vicenza*, as was before appointed. The Pope ſignified the concluſion to the Senate of *Venice*, who thought not fit, for diuers reſpects, that ſo great a multitude ſhould meete in the Citie, and ſhould treat of the Turkiſh warre, as certainely they would haue done, either with a purpoſe to effect it, or at the leaſt to make a faire ſhew. Whereupon they anſwered, that, the caſe being altered by reaſon of an accord which they lately had made with the Turke, they could not continue in the ſame opinion, becauſe *Soliman* would ſuſpect that they mooued the Chriſtian Princes to conſpire againſt him. Hereupon the Pope was conſtrained to alter his deſeigne. But the Cardinall *Contarini* was much calumniated in the Court of *Rome*, where an opinion aroſe, that hee was ſomewhat affected to Lutheraniſme; and thoſe that ſpake leaſt hurt of him, ſayd, that hee oppoſed not as much as he ought, and that hee had put the Popes authoritie in hazard. The Pope alſo diſtaſted his ſeruice, though hee were mightily defended by the Cardinall *Fregoſo*. But at his returne to his Holineſſe, whom hee found in *Lucca* expecting the Emperour, he rendred an account of his Legation, and gaue abſolute ſatisfaction.

The Venetians will not ſuffer the Councel to be held in *Vicenza*.

The Legat *Contarini* was ſuſpected of Lutheraniſme

1542
Iohn Morone is ſent Nuncio to the Diet of *Spira*.

The yeere 1541. ended thus: and in the next the Pope ſent *Iohn Morone*, Biſhop of *Modena*, to *Spira*, where the Diet was held in preſence of *Ferdinand*: who, according to his commiſſion, declared, that the Popes mind concerning the Councell, was the ſame as before; that is, that it ſhould one day bee celebrated; that hee had ſuſpended it by *Cæſars* conſent, to make way firſt to ſome concord in *Germanie*: but ſeeing this to bee in vaine, hee returned to his former opinion, not to deferre the celebration of it. But that hee could not conſent to make it in *Germanie*, becauſe hee meant to be there in perſon, and that his age, and length of the way, and ſo great a change of the ayre hindered his going into that countrey. And that it ſeemed not more commodious for other Nations. Beſide, that there was a great probabilitie to feare, that the differences could not be handled without commotions. Therefore, that *Ferrara*, *Bolonia*, or *Piacenza* (all great and moſt opportune cities) ſeemed to him more fit. But in caſe they liked them not, hee was contented to call it in *Trent*, a Citie at the Confines of *Germanie*. That

his

his will was to begin it at Whitſontide, but for the ſtraightneſſe of the time hee had prorogued it to the thirteenth of Auguſt. Hee prayed them all to be preſent there, and, laying aſide all hatred, to handle the cauſe of God with ſinceritie. *Ferdinand*, and the Catholike Princes thanked the Pope, and ſaid, that, not being able to obtain a fit place in *Germanie*, as *Ratisbon* or *Collen*, they were contented with *Trent*: But the Proteſtants would not agree either that the Councell ſhould be intimated by the Pope, or that *Trent* ſhould be the place, which was the cauſe why nothing was determined in that Diet concerning the Councell. 1542 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1. *Trent* is named for the place of the Councell; but the Proteſtants would not conſent.

Howſoeuer, the Pope ſent out a Bull of the intimation the two and twentieth of May this yeere; wherein, hauing declared his deſire to prouide againſt the euils of Chriſtendome, hee ſaid, hee had alwayes thought vpon the remedies: and finding none more fit then a Councell, hee was conſtantly reſolued to call it: and, making mention of the Conuocation at *Mantua*, then of the ſuſpenſion, after of the Conuocation at *Vicenza*, and of the other ſuſpenſion made in *Genua*, and finally of that other during pleaſure, hee went on to ſhew the reaſons that induced him to continue the ſame ſuſpenſion vntill then. Theſe were, *Ferdinands* warre in *Hungary*, the rebellion of *Flanders* againſt the Emperour, and the things that happened in the Diet of *Ratisbon*, expecting a time appointed by God for this worke. But conſidering in the end, that euery time is acceptable to his diuine Maieſtie, when holy things are handled, hee reſolued to expect no other conſent of the Princes; and becauſe hee could not haue *Vicenza*, beeing willing to giue ſatisfaction to *Germany* concerning the place, and vnderſtanding they deſired *Trent*, though a City more within *Italy* ſeemed to him more commodious, yet his fatherly charity inclined his will to yeeld to their demands, and hee choſe *Trent* to celebrate there an Oecumenicall Councel the firſt of Nouember next; and that he interpoſed that time, that his Decree might be publiſhed, and the Prelates haue time to arriue at the place. Therefore, by the authority of the Father, the Sonne, and the Holy Ghoſt, and the Apoſtles *Peter* and *Paul*, which himſelfe exerciſeth on earth, by the counſell and conſent of the Cardinals, all ſuſpenſions beeing remooued, hee intimateth an holy, Oecumenical, and generall Councel in that City, a fit place, free, and opportune for all Nations, to be begunne the firſt of that moneth, proſecuted, and ended: calling all Patriarches, Arch-Biſhops, Biſhops, Abbats, and thoſe who, by law or priuiledge, haue voice in generall Councels, and commanding them by virtue of the Oath made to him and the Apoſtolique Sea, and by holy obedience, and vnder the puniſhments, by law or cuſtome to bee inflicted vpon the diſobedient, to bee there in perſon, or, in caſe they ſhall be hindered, to make faith of the hinderance, or ſend proctors: praying the Emperour, the moſt Chriſtian King, and all other Kings, Dukes, and Princes, to bee perſonally preſent, or, in caſe they cannot, to ſend Ambaſſadours, men of grauity and authority, and to cauſe the Biſhops and Prelates of their Kingdomes and Prouinces to goe thither: deſiring further of the Prelates and Princes of *Germany*, for whoſe ſake the Councel is intimated in the place they wiſhed, that the things may bee handled which belong to the truth of Chriſtian religion, to the correction of manners, to the The Pope publiſheth the Bull of the intimation.

1542 peace and concord of Christian Princes and people, and oppression of the Barbarians and Infidels.

Pavl 3. Charles 5.

The Bul was presently sent from *Rome* to all Princes, but went not forth in a fit time. For *Francis* the French King, hauing in Iuly denounced warre, in threatning termes, against the Emperour, and published it by a booke which he set foorth; he made it at the same instant in *Brabant*, *Lucemberg*, *Ronciglione*, *Piemont*, and *Artoise*.

Henry 8. Francis 1.

The French King maketh warre against the Emperor.

The Emperour, hauing receiued the Bul of the Councel, answered the Pope, that he was not satisfied with it. For hauing neuer refused any paines, danger, or cost, that the Councel might be called, and contrarily the French King hauing alwaies endeauoured to hinder it, it seemed strange vnto him that they were compared and made equall in the Bul; and, rehearsing all the iniuries which he pretended to haue receiued from the King, added also that, in the last Diet at *Spira*, hee had laboured by his Ambassadours to cherish the discords of religion, by promising friendship and fauour to either party. In fine, he referred it to his Holinesse to consider, if the actions of that King did serue to remedy the mischiefes of the Christian Common-wealth, and to beginne the Councel, which hee did euer crosse, for his priuate gaine, and had constrained him, who did perceiue it, to finde a way to reconcile the differences of religion. Therefore, in case the Councel shall not be celebrated, that his Holinesse ought not to blame him, but the King, and denounce warre against him, if hee meant to assist the publique good: becausse this is the onely way, to call the Councel, establish religion, and regaine peace.

The Emperour excepteth against the Bul, and complay- of the French King.

The French King waxeth cruell against the Protestants, to free himselfe from the imputations laid vpon him by the Emperour.

The King, presaging what imputations would bee laide vpon him, for making a warre to the hurt of religion, and hinderance of the seruice of God, which might bee expected from the Councel, preuented it by publishing an Edict against the Lutheranes, commanding the Parlaments to execute it inuiolably, with seuere charge that all should bee appeached, who had bookes differing from the Church of *Rome*, that made secret conuenticles, that transgressed the commandements of the Church, and especially that obserued not the doctrine of meats, or prayed in any tongue but the Latine; and commanded the Sorbonists to be diligent spies against them. Afterwards vnderstanding the Emperours cunning, who assayed to incite the Pope against him, he caused the Lutheranes to be really proceeded against, and commanded that a forme to discouer and accuse them, should bee instituted in *Paris*, proposing punishments to the concealors of them, and rewards to the delators. Afterwards hauing full notice what *Cæsar* had written to the Pope, hee wrot also vnto him a long apology for himselfe, and an inuectiue against the Emperour, vpbraiding him with the surprise and sacke of *Rome*, and with the derision added to the losse, by making processions in *Spaine* for the Popes deliuery, whom himselfe kept prisoner. Hee discoursed of all the offences betweene himselfe and the Emperour, and laid all the blame on him. He concluded that it could not bee ascribed to him, that the Councel of Trent was hindered or foreslowed, becausse hee gained nothing by it, and that this was farre from the examples of his ancestours, by whose imitation hee vsed all endeauours to preserue religion, as the edicts and executions made in *France* did very well demonstrate. Therefore hee prayed his Holinesse, not to be-

He writeth also to the Pope against the Emperour.

leeue

leeue the calumnies, and to assure himselfe that hee should finde him ready to assist him in all occasions, either of his owne, or of the Church of *Rome*. 1542 PAVL 3. CHARLES 5.

The Pope, not to preiudice the office of a common Father, whereof his predecessours did euer make ostentation, sent Legates to both the Princes, to mediate a pacification, Cardinall *Contarini* to the Emperour, and *Sadoletus* to the French King, to pray them to forget priuate iniuries, for the publique cause, and to bee reconciled, that their discords may not hinder the peace of religion. To Cardinall *Contarini*, who immediately died, he substituted Cardinall *Viseus*; whereat the Court marueyled, because hee was not gracious with the Emperour, to whom hee was sent. And though the warre waxed hote in so many places, yet the Pope, thinking that he wronged his reputation if he went not on with the Councell, the 26. of August, this yeare 1542. sent his Legats to *Trent*, to the Synode which he had intimated, *Peter Paule Parisius*, *Iohn Morone*, and *Reginald Poole*; the first as a learned, and practised Canonist; the second, as a man fit for negatiation; the third, to shew that, howsoeuer the King of *England* was alienated for the subiection of *Rome*, yet the kingdome had a great part in the Councell. To these he dispatched the mandat of the legation, commanding them to goe thither, and to entertaine the Prelats and Ambassadours who came vnto them, without making any publique act before they had receiued instructions, which he meant to send them in time conuenient.

HENRY 8. FRANCIS 1.

The Pope sendeth Legates to mediate a pacification.

Cardinal *Contarini* dieth.

The Pope sendeth 3. Legats to Trent. 1542

The Emperour also vnderstanding the deputation of the Legats, though, as the case did then stand, he hoped for no good, yet that the Pope might doe nothing to his preiudice, he sent thither for his Ambassadors, *Don Diego*, his resident in *Venice*, and *Nicholas Granuel*, together with his Sonne *Anthonie*, Bishop of *Arras*, and some few Bishops of the kingdome of *Naples*. The Pope, besides his Legats, sent thither some Bishops, whom he esteemed most faithfull, with order not to make too much hast in their iourney. As well the Popes men as the Emperours, arriued at the time appointed. These presented to the Legats the Emperors mandat, and desired that the Councel should be opened, and the businesse begun. The Legats made delay, and said, that it would be a dishonour to the Councell, to begin it with so small a number, especially where Articles of so great importance were to be handled, as were those which the Lutherans did question. The Imperialists replied, that the matter of reformation might well bee handled, which was more necessarie, and not subiect to so many difficulties. The others alledged, that it must be applyed to the vse of diuers Nations, so that the assistance of all was more necessarie therein. In fine they passed to protestations; to which the Legats not answering, but referring the answere to the Pope, no conclusion at all was made.

The Emperor sendeth Ambassadors and Prelats to *Trent*, and so doth the *Pope*, but the Councell doth not begin.

The end of that yeare approching, the Emperor gaue order to *Granuel* to go to the Diet, which was to be held in *Noremberg*, in the beginning of the next, and to *Don Diego* to remaine in *Trent*, and to labour that the Councell should begin, or, at the least, that those that were assembled should not depart, that in the Diet he might make vse of that shadow of the Councel. In *Noremberg Granuel* proposed the war against the *Turkes*, & that the Emperor might be

Granuel is sent to the Diet in *Noremberg*, and *Don Diego* remaineth in *Trent*.

1543
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

bee aſſiſted againſt the *French* King. The Proteſtants replied, demanding that the differences of Religion might be compoſed, and the oppreſſions which the Iudges of the Chamber vſed againſt them vnder other pretences, though indeed for that cauſe, might be taken away. *Granuel* anſwered, that it neither could nor ought to be done in that place and time, becauſe a Councell was aſſembled in *Trent* to that end. But the excuſe was in vaine, becauſe the Proteſtants approued not the Councell, and ſaid plainely, that they would not be there. The Diet ended without concluſion, and *Don Diego* returned to his Ambaſſage at *Venice*, though the Legats intreated that, to giue reputation to the buſineſſe, he would entertaine himſelfe there, vntill they receiued anſwer from the Pope.

The Proteſtants refuſe to go to *Trent*, and *D. Diego* returneth to *Venice*.

The Emperours Ambaſſador being gone, the Biſhops of the Empire followed, and all the others, hauing leaue to depart vnder diuers colours; at the laſt the Legats, after they had beene there ſeauen moneths, without doing any thing, were recalled by the Pope. And this was the end of that congregation. The Emperor, being parted from *Spaine* by ſea to go into *Germanie* by the way of *Italy*, the Pope reſolued to ſpeake with him ſome where, and deſired it ſhould be in *Bolonia*. And to this end he ſent *Peter Aloiſius* his ſonne to *Genua*, to inuite him. But becauſe his Maieſtie would not goe out of his way, nor looſe time in his voyage, he ſent the Cardinall *Farneſe* to meete him, and pray him to goe by the way of *Parma*, where the Pope might expect him. But after there beeing difficultie how the Emperour might enter into that Citie, the twenty one of Iune 1543. they met in *Buſſeto*, a Caſtle belonging to the *Palauicini*, ſcituated vpon the Riuer *Tarus*, betweene *Parma* and *Piacenza*. The ends of them both ſuffered not that the buſineſſe of the Councell, and of Religion, ſhould bee the principall treatie betweene them. But the Emperour being wholy bent againſt the *French* King, laboured to incite the Pope againſt him, and to haue money from him for the warre. The Pope, ſeruing himſelfe vpon this occaſion, was wholy ſet vpon the gayning of *Milan* for his Nephewes; wherein hee was aſſiſted by *Margarite*, baſtard daughter to the Emperour, married to *Octauius Farneſe*, the Popes Nephew, and in that reſpect, made Dutcheſſe of *Camerino*. The Pope promiſed the Emperour to combine with him againſt the *French* King, to make many Cardinals of his nomination, to pay him for ſome yeares 150000. crownes, leauing alſo in his hands the Caſtles of *Milan* and *Cremona*. But becauſe the Imperialiſts required a million of ducats for the preſent, and another million vpon ſhort daies of payment, nothing could bee concluded: and in regard the Emperour could not longer tarrie, it was agreed to continue the treatie, by meanes of the Popes Miniſters, who ſhould follow the Emperour. *Cæſar* ſhewed hee was ſatisfied with the Councell, that by the ſending of Legats, and aſſiſtance of thoſe few Prelats, the Catholiques of *Germanie* at the leaſt had knowen his ready mind: and, becauſe the impediments might be imputed to the *French* King, he concluded that the remedie was not to be thought vpon, vntill it did appeare how the warre proceeded. They parted with great demonſtrations of mutuall ſatisfaction; yet the Pope miſtruſted the Emperour, and from that time turned his mind toward the *French* King.

The Legats being left alone, were recalled.

1543
The Pope & Emperour meete in *Buſſeto*.

The Pope ſeeketh to gaine *Milan*.

He miſtruſtes the Emperour and turneth to the *French* King.

But

1543
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

But while he was thus doubtfull, the league betweene the Emperour and the King of *England* againſt *France*, was publiſhed, which conſtrained the Pope wholly to alienate himſelfe from him. For hee ſaw how much that league preiudiced his authoritie, being contracted with one excommunicated, anathematized by him, curſed, deſtinated to eternall damnation, a ſchiſmatique, depriued of his kingdome and dominions, whoſe confederation made with whom ſoeuer was void, againſt whom alſo all Chriſtians Princes were bound by his commandement to take armes, and, which moſt imported, that ſtill remaining more contumacious, and openly deſpiſing his authoritie, this euidently ſhewed to the world that the Emperour bare no reſpect vnto him, neither ſpirituall nor temporall, and gaue example to all, to make no account of his authoritie. And the affront ſeemed to him the greater, becauſe *Clement*, who might eaſily haue temporized in that cauſe, to pleaſe the Emperour, and for his intereſts, had proceeded againſt that King, who otherwiſe was well affected, and deſerued well of the Apoſtolike Sea. To weigh downe theſe offences, the Pope put in the other balance, that the French King had made ſo many lawes and edicts, before named, to preſerue religion and his authoritie. Vnto which was added that the Pariſian Diuines the firſt of Auguſt, aſſembling the people by the ſound of a Trumpet, publiſhed fiue and twentie heads of Chriſtian doctrine, propoſing the bare concluſions and determinations, without adding reaſons, perſwaſions, or grounds, but onely preſcribing, as it were by authoritie, what they would haue beleeued; which were printed, and ſent through all *France*, confirmed by the Kings letters, vnder moſt grieuous puniſhments, againſt whoſoeuer ſpake or taught otherwiſe, with another new Decree to make inquiſition againſt the Lutherans. Theſe things the rather pleaſed the Pope, becauſe hee knew the King did them, not ſo much for the reaſon related before, that is, to iuſtifie himſelfe to the world that hee made not warre with the Emperour to fauour the Lutherans doctrine, nor to hinder their extirpation, but principally to pleaſe him, and for reuerence of the Apoſtolicall Sea.

A league betweene the Emperor, and King of *England*.

The Pope was much offended with the league.

But the Emperour knowing the Popes complaints, anſwered, that the French King hauing made a League with the Turke to the preiudice of Chriſtians (as the ſiege of *Nizza* in *Prouence*, made by the Ottoman Armie, guided by *Polinus* the Kings Ambaſſadour, and the ſpoiles taken in the riuers of the Kingdome, well ſhewed) it was lawfull for him to vſe, for his defence, the helpe of the King of *England*, a Chriſtian, though he acknowledge not the Pope; as alſo, by the ſame Popes leaue, himſelfe and *Ferdinand* vſed the aſſiſtance of the Proteſtants, more auerſe from the Apoſtolike Sea then that King; that the Pope, vnderſtanding the League of the French King with the Turke, ſhould haue proceeded againſt him. But hee ſaw well what difference was made. For the Turkiſh armie, which had ſo much damnified all the Chriſtians whereſoeuer it went, paſſed friendly by the Popes riuers, yea going to *Oſtia* to take in freſh water on S. *Peters* day at night, for which all *Rome* was in confuſion, the Cardinall of *Carpi*, who commanded in the Popes name that was abſent, put them out of feare, being ſecure by the intelligence which he had with the Turkes.

The Emperors anſwere to the Popes complaints.

The

1544
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The warre and theſe complaints put to ſilence the treaties about the Councel for this yeere; which, the next 1544. returned into the field, & began in the Diet of *Spira*, where the Emperor rehearſing the paines which he formerly tooke to remedy the diſcords in religion, & finally the care & diligence vſed in *Ratisbon*, he put them in mind how, it not being then poſſible to compoſe the controuerſies, all was finally referred to a general or National Councel, or a Diet; and that afterwards the Pope, at his inſtance, had intimated the Councel, where himſelfe reſolued to be in perſon, & would haue performed it if the war of *France* had not hindered him. But now in regard the diſcord in religion remaineth the ſame, and is accompanied with the ſame inconueniences, it is not time to deferre the remedie any longer; for which he gaue order they ſhould conſider, and propoſe to him what way they thought to be beſt. The buſineſſe of Religion was much conſidered on. But becauſe the affaires of the warre preſſed them more, it was referred to the Diet, which was to bee celebrated in December; and in the meane ſpace a Decree was made, that the Emperour ſhould giue charge to ſome honeſt and learned men to write a forme of reformation, and that all the Princes ſhould doe the ſame, that all being conferred together, that might bee determined in the Diet by common conſent, which was to be obſerued vntill the future generall Councell, to bee held in *Germanie*, or vntill a Nationall. In the meane ſpace that all ſhould remaine in peace, without raiſing any tumult for Religion, and the Churches of the one and the other ſhould enioy their goods. This Receſſe did not generally pleaſe the Catholikes; but ſome of them, becauſe they inclined to the Proteſtants opinion, approoued this middle way. Thoſe that were not contented, ſeeing their number to bee ſmall, reſolued to endure it.

1544 The treaty about the Coūcell began againe in the Diet of *Spira*.

But the warre went on ſtill; and the Popes diſdaine conceiued for the league with *England*, did waxe greater, for that the Emperour had neuer aſſented to any of thoſe maine and ample matches offered him by the Cardinall *Farneſe*, whom he ſent Legate with him into *Germanie*, concerning the grant of the Dutchie of *Milan* to the familie of the *Farneſi*; and finally, that being to aſſiſt in the Diet of *Spira*, hee would not ſuffer the Cardinall Legate to follow him thither, for feare of offending the Proteſtants. And finally, conſidering the Decree made in the Diet, ſo preiudiciall to him and the Apoſtolique ſea, hee was more offended, becauſe hee ſaw his hopes loſt, and his authoritie and reputation much diminiſhed; and iudged it neceſſarie to ſhew hee was ſenſible of it. And though on the other ſide hee conſidered that his partie in *Germanie* was weakened, and was counſelled by his moſt inward friends to diſſemble, yet finally, beeing aſſured, that by declaring himſelfe openly againſt *Cæſar*, hee did more ſtraitly binde the French King to maintaine his reputation, hee reſolued to begin from wordes to take occaſion to paſſe to deedes, as the coniunctures ſhould comport.

The Popes diſdaine againſt the Emperour is increaſed.

And the fifth of Auguſt he wrote a great long letter to the Emperor; the ſubſtance whereof was. That hauing vnderſtood what decrees were made in *Spira*, his duty and fatherly charity did inforce him to tell him his opinion, that he might not follow the example of *Ely* the Prieſt, whom God ſeuerely puniſhed for his too much indulgence towards his ſonnes. That the Decrees of *Spira* were dangerous for the Emperours ſoule, and extreamly,

The Pope writeth a long angry letter to the Emperour.

ly troubled the Church; that hee ſhould not violate the rules obſerued by Chriſtians, which command that, in the cauſe of religion, all ſhould bee referred to the Church of *Rome*: and yet hee, not eſteeming the Pope, who onely, by the law of God and man, hath power to call Councels, and to decree in ſpirituall matters, was willing to thinke of aſſembling a Generall or Nationall Councel; and hath ſuffered Idiots and Heretiques to iudge of religion: hath made Decrees concerning ſacred goods, reſtored to honour the rebels of the Church, whom hee had condemned by his owne Edicts: that he is willing to beleeue that hee hath not done theſe things by his owne inclination, but by the pernicious counſell of thoſe that beare ill will to the Church of *Rome*, and that he complayneth of this, that he hath yeelded vnto them; that the Scripture is full of examples of the wrath of God, againſt the vſurpers of the office of the High Prieſt, of *Vzza*, *Dathan*, *Abiron*, and *Core*, of King *Ozias*, and others. That it is not a ſufficient excuſe to ſay, the Decrees are but temporary, vntill the Councel onely. For though the thing done be holy, yet in regard of the perſon that did it, it not belonging to him, it is wicked. That God hath alwayes exalted thoſe Princes, that haue beene deuoted to the Sea of *Rome*, Head of all Churches, *Conſtantine*, the *Theodoſij*, and *Charles* the Great: and contrarily hath puniſhed thoſe that haue not giuen due reſpect vnto it. Examples hereof are *Anaſtaſius*, *Mauritius*, *Conſtans* the 2. *Philip*, *Leo*, and others; and *Henry* the 4. was for this cauſe chaſtiſed by his owne ſonne; as alſo *Fredericke* the 2. by his. And not Princes onely, but whole Nations haue beene puniſhed for it; the Iewes for putting to death Chriſt the Sonne of God; the Grecians for hauing many wayes contemned his Vicar: which things he ought the more to feare, becauſe he is deſcended from thoſe Emperours, who haue receiued more honour from the Church of *Rome*, then they haue giuen it. That he commendeth him for deſiring the amendment of the Church, but withall doth aduiſe him to leaue the charge thereof to him, to whom God hath giuen it. That the Emperour is a Miniſter, but not a Gouernour, nor an Head. He added, that hee deſired the reformation, and hath declared it often by intimating the Councel, whenſoeuer any ſparke of hope hath appeared that it might be aſſembled, and though in vaine vntill then, yet hee had not beene wanting to his duety, deſiring much a Councel, which is the onely remedy againſt all miſchiefes, as well for the generall good of Chriſtendome, as the particular of *Germany*, which hath more neede thereof. That it hath beene intimated already, though deferred vntill a more commodious time, by reaſon of the warres. That it belongeth to the Emperour himſelfe, to giue way that it may bee celebrated, by making peace, or deferring the warre, while matters of religion are handled in the Councel. That hee ſhould obey theſe fatherly commands, exclude from the Imperiall Diets all diſputes about religion, and referre them to the Pope, ordaine nothing concerning Eccleſiaſticall goods, reuoke the grants made to the rebels againſt the Sea of *Rome*; otherwiſe, to performe his owne duety, that he ſhall be forced to vſe grater ſeuerity againſt him then hee would.

1544
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

THE

upon her would.

forced to vse greater severity against him

were to performe his owne duety, that he shall be

Popes ordaine nothing concerning Ecclesiasticall goods, touching the

giuen vnder to the seale against the seal of Rome: other-

from the Emperour. Dare all diuines speak reuerently and reserre them to the

in the Councel. That yee should obey their Emperour commaunde, except

making heere, or determine the verie, whole matters of religion are handled

longeth to the Emperour, whether to giue vnto him (they) yee declared by

perted vnder a more commodious time, by reason of the weather. That it be-

hath more needefull. That it hath pease interteined already, vnder pre-

for the present good of Christendome, as the principal of enemies, which

much a Councel, which is the onely remedy against all mischiefes, as well

in vaine vnder them, yet yee had not peace inough to the duety, declare

neerely there of pope pius abbreuiated that it might be published, and vnder-

tentions, and hath declared it often by interpreting the Councel, which

ther put not a Conclusion, not an Head. He added, that per duties the re-

amendment of the Church, put vnder all odd addition to seeke the cheefe

spected to him, to whom God hath giuen. That the Emperour has vnder-

ther put a Conclusion, not an Head. He added, that per duties the re-

tention, and hath declared it often by interpreting the Councel, which

neerely there of pope pius abbreuiated that it might be published, and vnder-

in vaine vnder them, yet yee had not peace inough to the duety, declare

much a Councel, which is the onely remedy against all mischiefes, as well

for the present good of Christendome, as the principal of enemies, which

hath more needefull. That it hath peace interteined already, vnder pre-

perted vnder a more commodious time, by reason of the weather. That it be-

longeth to the Emperour, whether to giue vnto him (they) yee declared by

making heere, or determine the verie, whole matters of religion are handled

in the Councel. That yee should obey their Emperour commaunde, except

from the Emperour. Dare all diuines speak reuerently and reserre them to the

Popes ordaine nothing concerning Ecclesiasticall goods, touching the

giuen vnder to the seale against the seal of Rome: other-

were to performe his owne duety, that he shall be

forced to vse greater severity against him

then hee would.

by trouble the Church: that yee should not, violate the true obedience

Christians, which commeth vnto, in the cause of religion, all should

vnto the Church of Rome: and yet yee, not diminish the

ther to the Church of Rome: and yet yee, not diminish the

by trouble the Church: that yee should not, violate the true obedience

Christians, which commeth vnto, in the cause of religion, all should

vnto the Church of Rome: and yet yee, not diminish the

ther to the Church of Rome: and yet yee, not diminish the

1544
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

THE SECOND BOOKE OF THE HISTORY OF THE COVNCELL OF TRENT.

THe warre betweene the Emperour and the French King lasted not long. For the Emperor saw plainely, that while hee was busied in that, and his brother in the other against the Turke, *Germanie* so much increased in libertie, that the Imperiall name would not bee esteemed within a short time; and that so long as hee made warre in *France* he imitated *Esops* dog, who following the shadow, lost both it and the bodie. Whereupon he hearkened to the propositions of peace made by the French men, with designe not onely to be freed from that impediment, but, by the Kings meanes, to accommodate the Turkish affaires, and applie himselfe vnto *Germanie*. The fourt and twentieth of September the peace was concluded betweene them, and amongst other things they both capitulated to defend the old religion, and to labour for the vnion of the Church, and reformation of the Court of *Rome*, from whence all the dissensions are deriued, and that, for this purpose, the Pope should ioyntly be requested to call the Councel, & the French King should send to the Diet of *Germanie* to perswade the Protestants to accept it. The Pope was not afraid of the capitulation for the Councel, and reformation of the Court, being assured that whensoeuer they began that enterprise, by reason of their diuers endes and interests, they would not long agree: neither did hee doubt, but that the designe being to bee executed by a Councell, hee would so accommodate euery treatie, that his authoritie should bee amplified. But hee thought that in case he should call the Councell at their request, the world would imagine hee was constrained, which would bring much dishonour to his reputation, and incouragement to him that designed the moderation of the Papall power. Therefore not expecting to bee preuented by any of them, and dissembling the suspitions conceiued against the Emperour, and those that were most important (which the peace made without his knowledge, with points preiudiciall to his authoritie

The Emperor is wholly inclined to peace, which was cõcluded the 24. of September.

The Pope dissembleth his suspicions.

1544
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

put into his head) he ſet foorth a Bull, in which he inuited the whole Church to reioyce for the peace, by which the only impediment of the Councell was remooued, which hee eſtabliſhed againe in *Trent*, giuing order it ſhould begin the 15. of March.

The Popes Bull of the cõuocation of the Councell.

He ſaw the terme was ſtraight, and not ſufficient to giue notice throughout, much leſſe to giue the Prelates ſpace to put themſelues in order, and make the iourney: Yet hee thought it aduantage, that, in caſe it were to bee celebrated, it ſhould begin with few, and thoſe Italians, Courtiers, and his dependants, whom hee had ſollicited to bee there firſt, becauſe the manner of proceeding in the Councell ſhould bee handled in the beginning (which is the principall, yea the onely thing to preſerue the Pontificall authoritie) vnto whoſe determination they who daily atriued would bee conſtrained to ſtand. That it was no maruaile that a generall Councell ſhould begin with a few: for ſo it was in that of *Piſa*, and *Conſtance*, which neuertheleſſe had an happie progreſſe. And hauing penetrated the true cauſe of making the peace, he wrote to the Emperour, that he had vſed preuention and celeritie to intimate the Councel, to do him ſeruice. For knowing that his Maieſtie was conſtrained, by reaſon of the French war, to permit, & promiſe many things to the Proteſtants, by intimating the Councel he had now giuen him a meanes to excuſe himſelfe in the Diet, which was to be in Septemb. if, the Councel approaching, he performed not what he had promiſed to grant vntill the Councel.

The Emperor was diſpleaſed with the ſuddē intimation of the Councell.

But the Popes haſtineſſe pleaſed not the Emperour, nor the reaſon gaue him ſatisfaction. Hee deſired, for his reputation, to bee the principall cauſe, to make *Germanie* accept the Councell more eaſily, and for many other reſpects. And therefore being able to doe nothing elſe, he vſed all thoſe termes, which might ſhew himſelfe to be the Authour, and the Pope the adherent. Hee ſent Ambaſſadors to all Princes to ſignifie the intimation, and to pray them to ſend Ambaſſadors to honour the meeting, & to confirme the decrees which ſhould there be made. And he ſet himſelfe to make ſerious preparatiõs, as if the enterpriſe had bin his owne. He gaue diuers orders to the Ptelats of *Spaine* and the Low Countries, & commanded, amongſt other things, that the Diuines of *Louaine* ſhould aſſemble themſelues together, to cõſider of the doctrines which were to be propoſed; which they reduced to 22. heads, without confirming them by any place of Scripture, but explicating magiſterially the concluſion only. Theſe heads were after confirmed by the Emperors Edict, and publiſhed, with command, that they ſhould be defended and followed by all.

22. Points of doctrine collected by ẏ Diuines of *Louaine*.

The Emperor ſheweth his diſtaſt againſt the Pope.

And the Emperor concealed not his diſtaſt againſt the Pope, in his ſpeaches to the *Nuncio*, as well vpon that occaſion, as in other audiences: yea the Pope hauing created 13. Cardinals in December, amongſt which were 3. Spaniards, he forbad them to accept the armes, or vſe the name or habit.

The French King alſo aſſembled at *Melun* the Pariſian Diuines, to conſult of the neceſſarie poſitions of the Chriſtian Faith, to bee propoſed in the Councell: where there was much contention. For ſome deſired to propoſe the confirmation of whatſoeuer was conſtituted in *Conſtance* and *Baſil*, and the reeſtabliſhment of the pragmaticall law; and others, doubting that the King would be offended by deſtroying the concordate, made betweene him and *Leo*, which would neceſſarily follow, gaue counſell not to ſet that diſputation

tation on foote. And afterwards, because there were diuers opinions in that Schoole concerning the Sacraments, vnto which some giue effectiue, ministeriall vertue, and others not, euery one desiring that his opinion should bee an Article of faith, nothing could be concluded, but that they should keepe themselues within compasse of the 25. heads published two yeeres before. 1544 PAVL. 3. CHARLES. 5. HENRY. 8. FRANCIS. 1.

But the Pope, signifying to the French King, how little good will the Emperour bare him, desired him, for the maintenance of the Apostolique Sea, to send Ambassadours to the Councel as sooneas might be, and charged his Nuncio residing with the Emperour, that, attending all occasions when the Protestants gaue him any distaste, he should offer all assistance from him, to recouer the imperiall authoritie, with spirituall and temporal aydes. Whereof the Nuncio having had too many occasions, hee so wrought, that the Emperor, finding hee might haue need of the Pope both the one and the other way, remitted his rigiditie. And her gaue an argument thereof by granting the new Cardinals leaue to assume the name and armes, and by giuing the *Nuncio* more gracefull audiences, and by conferring with him of the affaires of *Germanie* more then her was wont to doe. The Emperor is reconciled to the Pope.

The Pope made great haste, not only to call the Councell, but to dispatch the Legats, whom he charged that, for maintenance of their dignitie, they should not first send some substitute to receiue the first Prelates, as some aduised, that afterwards they might make their entrie with meetings and ceremonies, but would haue themselues to bee the first, and to be there before the time. Hee deputed for his Legats, *Iohn Maria de Monte*, a Bishop, Cardinall of *Palestrina*, *Marcellus Cerninus*, Priest of the Holy crosse, and *Reginald Poole*, Deacon of S. *Mary in Cosmedin*. In this man hee chose nobilitie of blood, and opinion of pietie, which commonly was had of him, & the rather for that he was an English man, to shew that all *England* did not rebel in *Marcellus* constancie, and immouable & vndaunted perseuerance, together with exquisite knowledge in *Monte*, reallitie, and openesse of mind, ioyned with such fidelitie to his patrons, that hee could not preferre their interests before the safetie of his owne conscience. These he dispatched with a Briefe of Legation, without giuing them, as the custome is, a Bull of Facultie, or any instruction in writing, being vncertaine, as yet, what commission to giue them, meaning to gouerne himselfe as the successes, and the Emperours proceeding should counsell him. So hee made them depart with the Briefe onely. The Pope dispatcheth the Legats to *Trent*. Hee giueth them no instructions.

But besides the care the Pope had for the affaires of *Trent*, another of no lesse moment troubled his minde, concerning the Diet to be celebrated in *Wormes*, where hee thought the Emperour would not be present, and doubting that, being prouoked by the letter written vnto him, hee would vnderhand cause some Decree to bee made more preiudiciall to his affaires then the former, or at the least giue way vnto it, hee thought it necessary to haue in that place a minister of authoritie and reputation, with title of Legate. But hee feared an affront that way, in case the Diet should not receiue him with due honour. He found out a temper, to send to the Emperor the Cardinal *Farnese* his nephew, and make him passe by *Wormes*, and there to giue instruc- Card. *Farnese* is sent to the Diet of *Worms* and to the Emperour.

1544
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

actions to the Catholiques, and, after hee had made the treaties that were conuenient, to goe forward toward the Emperour, and in the meane space to send *Fabius Mignanellus* of *Siena*, Bishop of *Groseto*, for his *Nuncio* to reside with the King of the Romanes, with order to follow him to the Diet.

A consultation about the faculties to be giuen to the Legats.

Afterwards applying his minde to *Trent*, hee caused a consultation to bee begun concerning the faculties to be giuen to the Legats. This had some difficultie, because they had no examples to follow. For in the *Lateran* Councel next preceding, the Pope was personally present; before in the Florentine *Eugenius* the fourth was present, and that of *Constance*, where the Schisme was taken away, began with the presence of *Iohn* the 23. one of the three deposed Popes, and ended with the presence of *Martin* the fifth. Before that, the Councell of *Pisa* was called by the Cardinals, and concluded by *Alexander* the fifth. And in more ancient times, *Clement* the fifth was present in the Councel of *Vienna*; in the two Councels of *Lions*, *Innocence* the fourth, and *Gregorie* the 10; and before these in the *Lateran*, *Innocence* the 3. Onely the Councell of *Basil*, at that time when it obeyed *Eugenius* the 4, was celebrated by Legats. But to imitate any thing that was there obserued, was too bad a presage. Hee resolued to frame the Bull, with this clause, that he sent them as Angels of peace to the Councell, which before he had intimated in *Trent*: and gaue them full and free authoritie, that, for want of that, the celebration and continuation might not bee hindered, with facultie to preside there, and to ordaine any Decrees or Statutes whatsoeuer, and to publish them in the Sessions according to custome: to propose, conclude, and execute whatsoeuer was necessarie, to condemne errours, and roote them out of all Prouinces and Kingdomes: to take knowledge, heare, decide, and determine the causes of heresie, and whatsoeuer else concerneth the Catholike faith: to reforme the State of the holy Church in all her members, aswell Ecclesiasticall as Secular: to make peace amongst Christian Princes, and to determine any thing else which may bee for the honour of God, and the increase of Christian faith: with authoritie to bridle, with censures and Ecclesiasticall punishments, all contradicting and rebellious persons of what state or preeminence soeuer, though graced with pontificall or regall dignitie; and to doe any thing else necessary and fit for the extirpation of heresies and errours, and the reducing of those people that are aliened from the obedience of the Apostolike Sea, preseruation, and restauration of Ecclesiasticall libertie; yet with condition, that in all things they proceede with consent of the Councell.

The Cõtents of the Bull.

The Bull for the dissolution of the Councell.

But the Pope, considering not onely how to set the councell forward, but of the meanes to dissolue it when it was begun, in case his seruice did require it, to prouide for himselfe in good time, hee followed the example of *Martin* the fifth, who for feare of those encounters which happened to *Iohn* the 23. in *Constance*, when hee sent *Nuncij* to the Councell of *Pauia*, gaue them a particular Briefe, with authoritie to prolong, dissolue, or translate it to what place they would; A secret to crosse all deliberation which was contrarie to the interests of *Rome*. A few dayes after hee made another Bull, giuing the Legats power to transferre the Councell. This bare date the 22. of February, the same yeere, of which being to speake hereafter, when the

transla-

translation vnto *Bolonia* shall be related, whatsoeuer is to bee spoken thereof shall bee deferred vntill then. 1545

The thirteenth of March 1545. the Cardinals of *Monte* and *Santa Croce* arriued in *Trent*, and were receiued by the Cardinal of that place. That day they made their publique entry, and granted three yeeres, and so many times forty dayes of indulgence, to those that were present. They had not this authority from the Pope, but hoped he would ratifie the fact. They found no Prelate there, though the Pope had caused some to part from *Rome*, that they might be present at the prefixed time.

PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

The Legates grant an Indulgence without authority.

The first thing the Legates did, was to consider of the contents of the Bul of Faculties giuen them, and resolued to keepe it secret, and sent aduise to *Rome*, that the condition, to proceed with consent of the Councel, tied them too much, and made them equall to euery petty Prelate, and would breed great difficulties in the gouernement, in case it were necessary to communicate euery particular vnto all, and saide it was to giue too much liberty or rather licence to the multitude. It was perceiued in *Rome* that the reasons were good, and the Bul was corrected according to the aduise, and absolute authority was giuen them. But while the Legate expected an answere, they appointed out the place for the Session, capable of 400. persons, within the cathedrall Church.

The Bul was corrected.

Don Diego de Mendoza, the Emperors Ambassador with the Republique of *Venice*, arriued in *Trent* 10. dayes after the Legates, to assist at the Councel, with large commission giuen him from *Bruxels* the 20. of February, and was receiued by the Legates assisted with the Cardinall *Madruccio*, and three Bishops, who onely were then arriued; whose names are not to bee omitted, because they were the first. And they were, *Thomas Campeggio* Bishoppe of *Feltre*, the Cardinals nephew, *Thomas* of S. *Felicius*, Bishop of *Cana*, *Friar Cornelius Mussus*, a Franciscan, Bishop of *Bitonto*, the most eloquent preacher of those times. Foure dayes after *Don Diego* made his proposition in writing; which shewed the Emperours good disposition concerning the celebration of the Councel, and that order was giuen to the Prelates of *Spaine* to bee there, who hee thought were already in their iourney; hee excused himselfe by reason of his indisposition for not beeing there before, desired that the actions of the Councel and the reformation of manners might beginne, as was proposed two yeeres before in the same place, by the Lord *Granuel* and himselfe. The Legates answered in writing, commending the Emperour, receiuing his personall excuse, and shewing their desire of the Prelates comming thither. And the proposition and answere were receiued by the parties vnto whom it belonged, in the points not preiudiciall to the rights of their Princes respectiuely. A caution which giueth a manifest argument, with what charity they treated in the proposition and answere, where there were onely words of pure complement, except the mention of reformation.

Don Diego returneth to *Trent*.

The Legates not knowing which way to treat, made demonstration to proceed ioyntly with the Ambassadours and Prelates, and to communicate to them their most inward thoughts; whereupon when letters came from *Rome* or *Germanie*, they assembled all to read them. But perceiuing that D. *Diego* equalized himselfe to them, and the Bishops presumed more then they

The Legates desire to haue two sorts of letters and a cipher.

1545
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

were wont to doe at *Rome*, and fearing some inconuenience would arise when their number did encrease, they sent aduise to *Rome* that alwayes one letter should be written to be shewed, and the secret things apart, because of the letters which they had receiued vntill then, they had made no vse but by their wit. They demanded also a cipher, to communicate the matters of greater moment. All which particularities, with many more that shall bee spoken of, hauing taking out of the Register of the letters of the Cardinall of *Monte*, I haue not beene willing to conceale them, because they serue to penetrate the depth of the treaties.

The moneth of March beeing past, and the time, prefixed in the Popes Bul, to beginne the Councel expired many dayes, the Legates consulted amongst themselues concerning the opening of it, and resolued to expect aduise from *Fabius Mignanellus*, *Nuncio* with *Ferdinand* of what was handled in *Wormes*, and order from *Rome*, after the Pope had heard of the arriuall and proposition of *Don Diego*; and the rather, because they were ashamed to make so great a beginning with three Bishishops onely. The Ambassadors of the King of the Romanes arriued the eight of April, and a solemne congregation was made to receiue them. In that *Don Diego* would haue preceded the Cardinal of *Trent*, and sate next the Legates, saying that in regard he represented the Emperour, he ought to sit in the same place where his Maiestie should. But not to hinder the businesse, they found out a way to place them so, that it could not appeare who had the precedence.

D. Diego would haue preceded the Cardinall of *Trent*.

The Kings Ambassadours presented onely their Prince his letter, and declared by word of mouth, his obseruance towards the Apostolique Sea and the Pope, his readinesse to fauour the Councel, and large offers: and they added that hee would send a commission in forme, and persons better instructed.

The Ambassadours of the K. of the Romanes are receiued in congregation.

After this, the wished for aduise came to *Rome* and *Trent*, of the proposition made in the Diet the 24. of March by King *Ferdinand*, who was President there in the Emperous name, and of the negotiation which followed thereupon. The Kings proposition was, that the Emperor had made peace with the French K. that he might apply himselfe to cõpose the differences of religion, and prosecute the war against the Turkes; from whom he had promise of assistance, and an approbation of the Councel, with a resolution to bee there in person, or by his Ambassadors. That for this end, it beeing before prorogued, hee had dealt with the Pope to intimate it againe, and solicited him to giue aide against the Turkes. That hee had obtained the intimation of his Holinesse, and that Ambassadours sent from the Emperour and himselfe were already in *Trent*. That all the world knew what paines *Caesar* had taken to cause the Councel to bee celebrated; first with *Clement* in *Bolonia*, then with *Paul* in *Rome*, *Genua*, *Nizza*, *Lucca*, and *Busseto*. That according to the Decree of *Spira*, he had giuen order to men of learning and good conscience, to compose a forme of reformation; which was accordingly performed. But it beeing a thing of great deliberation, and the time short, and the Turkish war threatning them, the Emperour was resolued not to speake of this any more, but to expect how the Councel would proceed, and what might bee hoped from it, because it was suddenly to beginne; and in case no

The proposition of *Ferdinand* in the Diet.

fruit

fruite appeared, hee might before the end of that Diet, intimate an other to handle all that buſineſſe, applying himſelfe now to that which is of more importance, that is, the Turkiſh warre. 1545. PAVL 3. CHARLES 5. HENRIE 8. FRANCIS 1.

This propoſition made the Proteſtants very ſuſpitious. For the peace of religion being to laſt vntill the Councel, they were in doubt that when they were exhauſted, by contributions againſt the Turkes, they ſhould be aſſailed, vpon pretence that the peace was ended by opening the Councel in *Trent*. Yet they demanded that the treaty begunne ſhould bee continued, alledging that the time was long enough to him that feared God; or at leaſt that a new peace ſhould be eſtabliſhed vntill a lawfull Councel, ſo often promiſed, ſuch as that of *Trent* was not, for the reaſons ſo many times rehearſed before. And they declared that they could not contribute, if they had not aſſurance of peace, not tied to the Popes Councel, which they had refuſed whenſoeuer it was ſpoken of. And though the Eccleſiaſtiques did conſent abſolutely, that the cauſe of religion ſhould be wholy remitted to the Councel, yet it was reſolued to expect the Emperours anſwere before the concluſion. The ſuſpition of the Proteſtants.

Three particulars in this action diſpleaſed the Pope and Legats which were at *Trent*. One, that the Emperour arrogated to himſelfe, to haue induced the Pope to celebrate the Councell, which argued ſmall care of Religion in his Holineſſe. The ſecond, that hee had induced the *French* King to conſent vnto it, which was no honour to his ſanctitie, to whom this belonged. The third, that hee would ſtill keepe the bit in his mouth by a future Diet, that, in caſe the Councell went not forward, he ſhould alwaies feare, that things concerning Religion ſhould be treated of in the Diet. The Pope was perpetually troubled, not ſo much for the iniuries receiued from the Proteſtants, as for the Emperours actions, which, as he was wont to ſay, though they ſeemed fauourable, yet were more pernicious to religion, and his authoritie, which could not be ſeparated. Beſides, it ſeemed he was alwaies in danger, that the Emperour would make ſome accord with the Dutch-men, to his preiudice. And thinking how to prouide a remedie, he could finde none, but to ſet on foote a warre for Religion, becauſe the Proteſtants would bee curbed, and the Emperour likewiſe intangled in a dangerous enterpriſe, and all ſpeech of reformation and the Councell would be buried in ſilence. He had great hope it would ſucceede, by that which his *Nuncio* wrote vnto him, that he found in the Emperour great diſdaine againſt the Proteſtants, and that he hearkened to his propoſitions to ſubdue them by force. For this reſpect, beſide that which was before related, and to hinder that no preiudiciall thing might bee done in the Diet, and to encourage and giue ſtrength to his followers, another cauſe was added, more vrgent, becauſe it belonged to his priuate intereſt. For being reſolued to giue *Parma* and *Piacenza* to his ſon, he thought he could not doe it without great danger, if the Emperour conſented not: becauſe hee might finde pretences, either for that thoſe Cities were formerly members of the Dutchie of *Milan*, or might ſay, the Church ſhould not be damnified, whereof he was aduocate. To diſpatch theſe buſineſſes, he ſent Cardinal *Farneſe* into *Germanie*, with inſtructions neceſſarie. The Pope & the Legats were diſpleaſed with three particulars in the propoſitiō. The Pope is reſolued to giue *Parma* and *Piacenza* to his ſonne: but feareth the Emperor.

But the Legats in *Trent* had commiſſion from the Pope, to open the Coun-

cell

1545
PAVL 3.
CHARLES 5.
HENRIE 8.
FRANCIS 1.

cell with thoſe few Prelats that were there, without expecting a greater number, in caſe they vnderſtood that they would treat of Religion in the Diet; but if not, to gouerne themſelues as other reſpects ſhould aduiſe. They ſaw that the propoſing of the Diet did not binde them, but, on the other ſide, that the ſmall number of Prelats (who then were not more then foure) perſwaded a prorogation. Notwithſtanding, they were in doubt that the danger of the Turkiſh armes would conſtraine *Ferdinand* to make the receſſe, and, according to promiſe, to intimate another Diet, in which Religion ſhould be treated of: caſting the blame vpon them, by ſaying, that notice was giuen them of the propoſition, that, knowing what was promiſed with good intention, they might haue hindered the execution of it by opening the Councell. For this cauſe they ſent in diligence to the Pope, to receiue order from him what to doe in this doubtfull conſultation, ſeeing themſelues on the one ſide conſtrained by a potent reſpect to make haſt, and on the other enforced to deſiſt, becauſe they were almoſt alone in *Trent*. They declared to the Pope that they had many coniectures, and ſignes, that the Emperour regarded not the celebration of the Councell; that *Don Diego*, after his firſt comparition, had neuer ſpoken ſo much as one word, and did ſhew, as it were, in his countenance, that he was pleaſed with that leaſure and ſpending of time. For his appearance onely was ſufficient to excuſe and iuſtifie his Maſter, that hauing, by himſelfe and his Ambaſſadors, continually deſired and ſollicited the Councell, and brought the buſineſſe to that paſſe, and not ſeeing a conuenient progreſſe, hee might and ought to intimate another Diet, to determine the cauſe of Religion, as by reaſon deuolued vnto him by his own diligence, and negligence of the Pope. They reſolued to take a middle courſe, to ſing a Maſſe of the holy Ghoſt, before the Emperour arriued in the Diet; which might ſtand for a beginning of the Councell, and preuent whatſoeuer the Emperour could doe in the Receſſe, and on the other ſide, remoue all occaſion of ſaying, that the matters of the Councell were begun to bee handled with foure perſons; remaining in libertie to enioy the benefit of time, and to bee able to goe on, or deſiſt, or transferre, or ſhut vp the Councell, as the occurrences ſhould aduiſe. They wiſhed him to conſider, that if the Councell were opened, after that Cardinall *Farneſe* had ſpoken with the Emperor, one might think that Cardinall was ſent to entreat that it might not be opened, and could not obtaine it. Beſides, the fame of the Turkiſh armie increaſing, it would be ſaid it was opened when neceſsitie compelled to thinke of other matters, and when it was knowen it could not bee done. The Cardinall *Santa Croce* deſired much that ſignes of deuotion ſhould bee ſhewed, and the people made to runne together with the vſuall ceremonies of the Church; and therefore perſwaded that all ſhould write to the Pope, to demaund a Briefe, with authoritie to giue indulgences, dated from the time of their parting, that the indulgence which they granted at their entry, might be made good. That Cardinall, was ſcrupulous, that the people which were preſent at that entry, ſhould not be defrauded of thoſe three yeares and thrice fortie daies which they granted, and would ſupply it by this, not conſidering that a difficultie did ariſe, whether he that hath authority to graunt Indulgences, can make good thoſe which another hath graunted without authoritie.

Henrie 8. Francis 1.

The Legats know not what to reſolue about the opening of the Councell.

It is reſolued that the councell ſhould be opened, onely by ſinging a Maſſe of the holy Ghoſt.

The deſire of the Cardinall *Santa Croce*.

The

The Cardinall, Bishop and Lord of *Trent*, considering that that Citie, little in it selfe, and not much inhabited, would remaine at the discretion of Strangers, and in danger of seditions, in case the Councell proceeded, gaue the Pope to vnderstand, that there was need of a garrison, of, at the least, an hundred and fiftie footmen, especially if the Lutherans came: which expence himselfe was not able to beare, being exhausted by paying his Predecessors debts. The Pope answered, that, if he put a garrison into the towne, the Lutherans would haue a pretence to publish, that the Councell was not free; that it was in vaine to make doubt, so long as none but *Italians* were in *Trent*; and that he had no lesse care of the quiet of the Citie, then the Cardinall himselfe, because the securitie of the Councell more imported the Pope, then the Bishop of the place; therefore that he should leaue the care thereof vnto him, and assure himselfe, that he will be vigilant to prouide against dangers, for his owne interest, and will not burthen him with any expence. Hauing well considered all the reasons which perswaded and disswaded to begin the Councell, for dissuasion he saw no weightie reason but this, that when the Councell should be opened, hee would be intreated to leaue it so, vntill the impediments of the Turkish warre, and others, did ceale: which was to put a bridle in his mouth, which would turne him whither he pleased that held the raines; a thing dangerous to his affaires. This made him resolue firmely in himselfe, by no meanes to let the Councell stand idly open, and not to depart from this disiunctiue, either to celebrate the Councell if he could, or, if he could not, to shut it vp, or suspend it, vntill he had published another day to reassume it. Hauing established this point, he wrote to the Legats, to open it vpon Holiroode day; which order they published to the Emperours Ambassador and the rest, without naming the particular time. A little after Cardinall *Farnese*, in his iourney towards *Wormes*, arriued in *Trent*, and brought the same commission; and all being consulted of betweene him and the Legats, they resolued to continue, notifying vnto all, the Commission to open the Councell in generall, without descending to the particular day, more then this, that it should bee when hee had spoken with the Emperour in *Wormes*. And they conceiued good hope, because they vnderstood that his Maiestie, knowing the dispatch of the Legation, was much satisfied with the Pope, and declared that hee would iointly proceede with him; and therefore they would not go on to any new action, without his knowledge, for feare of disturbing him; and the rather because *Don Diego*, and the Cardinall of *Trent* aduised the same.

1545
PAVL. 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The Cardinal of *Trent* desireth a garrison

Don Diego renewed his pretence, to precede all but the Legates, alleadging, that if, when the Pope and Emperour met, no man could sit betweene them, the same ought to bee obserued in those that represented the one and the other; and said hee had the aduice of learned men heerein. The Legats answered in generall termes onely, that they were ready to giue euery man his place, expecting order from *Rome*; which pleased *Don Diego*, hoping that decisions and examples thereof would bee found in the publike Records; shewing hee was readie out of the Councell, to giue place to euery pettie Priest, but adding that, in the Councell, none after the Pope, had more authoritie then his Prince. Some that reade this relation may thinke it superfluous

The Pope giueth commission to open the Councell on Holiroode day.

Card. *Farnese* passeth by *Trent*.

Don Diego renewes his pretence for precedence.

1545 fluous, because it conteineth matter of small weight: but, contrarily, the writer of the Storie hath thought necessarie to make knowen, from how small riuers so great a lake, which possesseth all *Europe*, hath been raised; and hee that shall see how many letters went to and fro before the opening was concluded, would wonder at the esteeme was made of it, and at the surmises that did flie abroad.

PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

In *Italie*, because they saw the Councell went on, and hoped that now it would be celebrated, the Bishops thought of their iourney. The Vice-roy of *Naples* tooke care that all his should not goe. His will was to send foure of his owne nomination, with commission from the rest of the Kingdome, which are aboue an hundred. Therefore the great Chaplaine of the kingdome assembled the Prelates in his house, and intimated vnto them, that they should make a proxie. Many opposed, and said they would goe in person, because they were so bound by oath: but in case they could not, it was reasonable that euery one should name a Proctor, according to his owne conscience, and not one for all. The Vice-roy was angry, and gaue order againe to the great Chaplaine to call them, and command them to make the proxie, and sent the like order to all the gouernours of the kingdome. This troubled the Pope and Legates very much, because they knew not whether it came from the Vice-roy his owne fantasie, to shew himselfe a sufficient man, or from want of witte, or whether some other had made him doe it, and proceeded from a deeper roote. To discouer from whence this motiue came, the Pope made a seuere Bull, that none, without exception, should appeare by Proctor. This the Legats concealed, as being too seuere, because it conteined all the Prelates of Christendome, euen the most remote, and those that had lawfull impediment, who could not possibly obserue it: and also because it was too rigid, constituting that they incurred *ipso facto* the punishment of suspension from their Ministery. And they feared it would cause many irregularities, nullities of actes, and vndue receiuings of fruits, and that by this meanes some discontented Nation might bee stirred vp to appeale and contest for iurisdiction. Wherefore they wrote, that they ought not to publish it without new commission, thinking the rumor that the Bull was made would suffice, though it were not shewed. What end this Bull had, shall be declared in its fit place.

The Vice-roy of *Naples* would send but foure, Bishops to the Councell, and those of his owne nomination, and is much opposed.

The Pope maketh a seuere Bull, that none should appeare in Councell by Proctor.

Another businesse remained, though of smaller moment, yet no lesse troublesome. The Legats, vntill then, had receiued but small store of mony for their expences, and were too poore to supplie out of their owne, as was fit for them to doe in some particular; in so much, that if they so continued, they should not bee able to maintaine themselues. Whereupon they did communicate it to *Farnese*, and wrote to the Pope, that it was not for his reputation to hold a Councell without necessary and accustomed ornaments, with that lustre that so great an assembly required; for which it was necessary to send some person, to vndergoe this charge only: and therefore it would bee good to appoint a Depositary, with a summe of money, to discharge the occurring expences, to assist some needie Prelate, and to cherish some man of account: a thing necessary to procure a good end of the Councell.

The Legates require monie for the expences of the Councell.

The third of May, ten Bishops being then arriued, they made a congregation

The first congregatiō spent in ceremonies

gation to eſtabliſh the things that ſhould goe before; in which they publikelie intimated the Popes commiſſion to open the Councel, adding, that they would not determine of the day, vntill they had imparted it to the Emperor. This Congregation, for the moſt part, was ſpent in matters of ceremony; that the Legates, though of diuers Orders, one beeing a Biſhop, another a Prieſt, and the third a Deacon, ſhould notwithſtanding haue the ſame ornaments, wearing rochets all three alike, as their office and authoritie was equall in one Legation and one Preſidencie; that the place for the Seſſions ſhould bee beautified with hangings of Arras, that it might not ſeeme an Aſſembly of mechanicall men. They propoſed whether it were fit to make ſeats for the Pope and Emperour, which ſhould bee adorned and remaine empty: they treated whether it were fit to giue *Don Diego* a more honorable place then the other Ambaſſadours. It was conſidered that the Biſhops of *Germanie*, who are Princes of the Empire, doe pretend right of preceding all other Prelates, euen Archbiſhops, alledging that it is not onely ſo obſerued in the Diets, but alſo that the Biſhops which are not Princes ſtand bare before them. It was remembred, that the yeere before, there was a difference in the ſame City, where the Biſhop of *Heicſtat*, and the Archbiſhops of *Corfu*, and *Ottranto* met together at a Maſſe. Some alſo alledged, that in the Popes chappell, the Biſhops that are Ambaſſadours for Dukes, and other Princes, doe precede the Archbiſhops, and therefore that the Princes themſelues ſhould doe it much more. And they concluded to reſolue nothing heerein vntill the Councel were more frequent, that they might ſee how the French men and Spaniards did vnderſtand it. They thought fitte to renew the Decree of *Baſil*, and of *Iulius* 2. in the *Laterane* Councel, that it ſhould preiudice no man to ſit out of his place. The reſolution to expect the aduiſe of *Farneſe*, to determine the day of opening the Councel, gaue much ſatisfaction to *Don Diego*, and thoſe few Biſhops ſhewed much deuotion and obedience to the Pope, as did alſo the Biſhop of *Vercelli*, who arriued the ſame day after the Congregation ended, together with Cardinall *Poole* the 3. Legate. 1545 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

While they met in *Trent* to conuince hereſies by a Councel, in *France* they did the ſame by force of armes, againſt a ſmall remainder of the *Waldenſes*, inhabitants of the *Alpes* of *Pronence*, who (as hath beene ſaid before) maintayned a ſeparation from the Sea of *Rome*, with a diuers doctrine and rites, very imperfect and rude. Theſe men, after the reformations of *Zuinglius*, enlarged their doctrine by his, and reduced their rites vnto ſome forme, at the ſame time when *Geneua* embraced the reformation. Sentence was pronounced againſt theſe many yeeres before, by the Parlament of *Aix*, which had neuer bene executed. The King now commanded to execute the ſentence. The Preſident muſtered together as many ſouldiers as hee could in the places bordering vpon them, and in the Popes State of *Auignion*, and went with an armie againſt thoſe poore creatures, who neither had weapons, nor thought, otherwiſe then by flight, to defend themſelues, thoſe that could. They went not about to teach them, or by threats to make them leaue their opinions and rites; but firſt of all, filling all the Countrey with rapes, ſlew as many as ſtood to their mercie, becauſe they could not flie, without ſparing old or yong, of what age or condition ſoeuer. They deſtroyed, or rather

A miſerable ſlaughter of the *Waldenſes* made by the French men.

1545
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

ther razed the Countries of *Cabriers* in *Prouence*, & of *Mernidolo* in the Countie of *Vinoiſin*, belonging to the Pope, and all other places in thoſe precincts. It is certaine that more then 4000. perſons were ſlaine, who, without making defenſe, deſired mercie.

Cardinall *Farneſe* his negotiation with the Emperour in *Woormes*.

But in *Germanie*, the Emperor arriued in *Wormes* the ſixteenth of May, and Cardinall *Farneſe* the day following, who treated with him, and with the King of the *Romans* apart. He deliuered his commiſſions particularly concerning the Councell, declaring that the Pope had giuen the Legats power to open it: which they meant to doe when they ſhould vnderſtand from him, what was done in the Diet. Hee told the Emperour, that it was not neceſſary to regard the oppoſitions of the Proteſtants, ſeeing that the impediment alleadged by them, was not new, but was foreſeene from the day the Councell was firſt ſpoken of: that he might aſſure himſelfe, that they, hauing caſt off the yoke of obedience, the principall foundation of Religion, & proceeded to ſo impious & wicked innouations againſt therites, obſerued many hundreds of yeares, by the approbation of ſo many famous Councels, they would, with the ſame boldneſſe, ſpurne againſt the Councell, which was to begin, though lawfull, generall, and Chriſtian, aſſuring themſelues to be condemned by it. Therefore that nothing remained but that his Maieſtie ſhould induce them to obedience by authoritie, or conſtraine them by force. Which, in caſe it were not done, and they ſo much regarded, as not to be condemned, or, after condemnation, not conſtrayned to lay aſide their errours, all the world would know that the heretiques command and the Pope and Emperour obey. That his Holineſſe as hee thought fit to vſe mildneſſe at the firſt, ſo hee thought it neceſſary to ſhew really, that after it would follow force of Armes. That he offered him a grant of part of the Eccleſiaſtical reuenues of *Spaine*, and power to ſel the plate of thoſe Churches, to aſſiſt him with his owne money, and to ſend him out of *Italy* 12000. foot, and 500. horſe, paide, and to endeauour that hee might likewiſe bee aſſiſted by other Princes of *Italy*, and to proceed, during the time of the warres, with ſpirituall and temporal Armes, againſt whoſoeuer ſhould moleſt his Territories.

He complayneth of the Vice-roy of *Naples*.

Farneſe declared alſo to the Emperour the attempt of the Vice-roy of *Naples*, who would haue ſent foure Proctors in the name of all the Biſhops of the Kingdome, ſhewing it was neither reaſonable nor lawfull, and that it was a diſhonour to the Councel. For if Biſhops, dwelling ſo neere, and beeing ſo many, might bee excuſed by ſending foure, *France* and *Spaine* might doe it much rather, and ſo a Generall Councel ſhould bee held with twenty Biſhops. And hee prayed the Emperour not to tolerate a thing ſo contrary to the authority of the Pope, and dignity of the Councel, whereof himſelfe is Protector, deſiring him to giue ſome remedie heerein. The Cardinall alſo treated with him concerning the promiſe made in his Maieſties name, in the propoſition ſent to the Diet; that is, that to determine the controuerſies of religion, in caſe the Councel did not proceed, another Diet ſhould bee held; and deſired him to conſider that if neither his Holineſſe, nor his Legates and Miniſters, nor the Court of *Rome*, were in fault that the Councel were not celebrated, nor proceeded, hee could not by any meanes intimate in the receſſe another Diet, vnder this colour. And he inculcated this point exceedingly

exceedingly, becauſe hee had ſtrait commiſſion therein from *Rome*, and becauſe the Cardinall of *Monte*, a man very free, not onely ſpake but alſo wrote vnto him thereof, in his owne name and his colleagues; after that hee parted from *Trent*, ſaying in plaine termes, that this was the moſt important point, at which he ſhould euer aime, without forgetting it in his whole negotiation, taking care not to admit any excuſe, becauſe this onely would produce any other good agreement. And for his owne part, hee would put his Holineſſe in minde rather to abandon the Sea, and reſtore the keyes to Saint *Peter*, then ſuffer the Secular power to arrogate authoritie to determine cauſes of Religion, vnder pretence and colour that the Eccleſiaſticall hath fayled in celebrating a Councell, or otherwiſe. 1545 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

Concerning the attempt of the Viceroy, the Emperour ſaid it proceeded from his owne proper motion, from which, in caſe hee had not great reaſon to the contrarie, hee would bee remooued. For opening the Councell hee gaue no reſolute anſwere, but ſpake diuerſly, ſometimes that it would bee good to begin it in a more fit place, ſometimes that it was neceſſarie to make ſundrie prouiſions firſt. Whereby the Cardinall ſaw plainely that his ayme was onely to hold the matter in ſuſpence, and to gouerne himſelfe as occaſion ſerued, either opening or diſſoluing it. For not intimating another Diet to treate of religion, he gaue a generall and vnconcluding anſwere, that hee would alwayes make as much eſteeme as was poſſible of the Popes authoritie. But to the propoſition of making warre againſt the Lutherans, hee anſwered that the Popes councell was the beſt, and that the onely way was propoſed by him, which hee was reſolued to imbrace; yet that he would proceede with due caution, and firſt conclude a truce with the Turke, which hee then did mediate diligently, and moſt ſecretly, by the French King, and that hee knew well, that the number and power of the Proteſtants was great, and inſuperable, and that in caſe they were not diuided or ſurpriſed at vnawares, the warre would prooue doubtfull and dangerous. That his deſigne was to conceale his purpoſe vntill opportunitie ſerued, and then to treate with the Pope. In the meane while hee accepted the offers made vnto him. The Emperors anſwere to the Legat.

Beſide theſe publike buſineſſes, the Cardinall had one priuate for his owne houſe. The Pope thinking it too little to giue to his familie the Dukedome of *Camerino*, and *Nepi*, thought to giue them alſo *Parma* and *Piacenza*; which becauſe they were a little before in the poſſeſſion of the Dukes of *Milan*, hee deſired the Emperours conſent, to eſtabliſh his gift the better. The Cardinall treated with the Emperour heereof, ſhewing it were better for his Maieſtie that thoſe Cities, ſo neere to the Dutchie of *Milan*, were in the poſſeſſion of a familie, ſo deuoted and allied vnto him, then in the power of the Church, in which if an ill affected Pope ſhould ſucceed, diuers inconueniences might ariſe; that this would not bee an alienation of the patrimonie of the Church, becauſe they firſt came into the handes of *Iulius* 2. neither was the poſſeſſion of them well confirmed but vnder *Leo*; that it would be more profitable for the Church, becauſe the Pope would giue it *Camerino* in exchange; and that detracting the charge of maintaining the garriſons of thoſe two Cities, and adding eight thouſand crownes, which the new Duke The Legats priuate negotiation concerning his owne family.

1545
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

would pay, the Church would receiue more rent by *Camerino* then by them. To these expositions the Cardinall ioyned his daughters letters, who effectually prayed the Emperour for her owne interest; vnto whom the matter was not displeasing, as well for the affection hee bare to his daughter and nephewes, as because it would bee more easie to recouer them from a Duke, then from the Church. Yet hee neither denied nor granted, but said onely hee would not oppose.

The Emperors answere.

The Legate treated with the Catholikes, and the Ecclesiastikes especially, incouraging them to defend the true Religion, & promising them all fauour from the Pope. The Protestants suspected the negotiation of the warre, though handled secretly, because a Franciscan Friar, preaching before *Charles*, *Ferdinand*, and the Legat, after a great inuectiue against the Lutherans, turned to the Emperour, and said it was his office to defend the Church with armes; that vntill then hee had not performed that which was necessarie to bee effected; that so many benefits which God had bestowed vpon him, deserued he should make acknowledgment of them by setting himselfe against that contagion of men, who ought not to liue any longer; and that he ought not to make any further delay, because many soules did dayly perish by this meanes, for whom God will aske an account of him, if he gaue not some sudden remedie. This Sermon not only begat suspicion, but raysed discourses also that it had been commanded by the Legat, and by the publike exhortations, they concluded what the priuat were. To remedy which rumor, the Card. parted secretly by night, & returned quickly into *Italie*. Yet the suspicio of the Protestants increased, by the aduises sent fro *Rome*, that the Pope, when he dismissed some Captains, gaue them hope he would imploy them the next yere.

The Protestants suspect that warre would bee made against them.

The Legate doth secretly and suddenly returne into *Italie*.

But the B. of *Sidonium* arriued in *Trent* the 18. of May, with a Friar, a Diuine, and a secular Doctor, as Proctors of the Elector Cardinall & Arch bishop of *Mentz*. The B. made a short oration of the Electors obedience to the Pope, and Apostolike Sea, much cõmending the celebration of the Councel, as the only necessary remedy to those wauerings of faith, and Catholike religion. The Legats, in their answere, commended the pietie and deuotion of that Prince, and for admitting his commission, they said, it was necessary to see it first, because his Holines had made a new prouision, that none could giue voice by proxie, and that they were in doubt, whether it comprehended a Cardinall, and a Prince; that they well knew the prerogatiue which his excellencie deserued, whereunto they were most ready to giue all honour and respect. These three men perceiuing the difficultie, were in a confusion, and thought to depart. The Legats repented them of the answere, knowing of what importance it would be if the prime Prince and Prelate of *Germanie*, for dignitie and riches, should be aliened from the Councell: And they wrought by way of mediation, dexterously made by the Cardinall of *Trent*, by the Ambassadors and others, that they would remaine, saying the Bull spake only of Italian Bishops, and that the Legats were deceiued; which imputation they were contented to beare, that they might withstand so great a dilorder.

The Proctors of the Archbishop of *Mentz* are about to leaue the Councel.

Wherfore they wrote to *Rome*, giuing an account of the succesle, & demanding whether they should receiue them while the Bull was in force, adding that it seemed hard to repell the Proctors of so great a personage, who shew-

ed himselfe zealous and fauourable to the Catholike partie, who by this meanes might growe luke-warme: they were instant to haue an answere, because the determination hereof would serue for a president, for that the other great Bishops of *Germanie* might send Proctors likewise, whom it were better they went not to *Trent* in person, because being accustomed to ride with great traines, the Citie would not bee able to receiue them all: and they wrote that, aboue all things, it was not fit to scorne the Dutchmen, who are naturally suspicious, and easily resolue themselues; and especially those that are louing and well-deseruing, as *Cocleus*, who is already in his iourney, as Proctor for the Bishop of *Heidstat*; who hath written so much against the Heretiques, that one would bee ashamed to say that hee could not haue a voyce in the Councell. The Pope thought it not fit to write precisely hereof, considering the difficulties of *Naples*. For the Vice-roy continuing in his resolution, a commission was made to foure to bee present there, in the name of all. These being prepared for their iourney, passed by *Rome*, concealing they were elected for the rest, saying they went for themselues; and that the others would follow. But hee wrote to the Legates to entertaine the Proctors with good words, vntill hee gaue another resolution. The *Neapolitans* spake also in the same tenor at their arriuall in *Trent*, and as well the Pope as the Legates dissembled the same, deferring to speake of it vntill they were resolued of the time to open the Councell.

1545
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The Legates doe earnestly demand a resolution about admitting Proctors.

The Pope knew not what to answere.

In the end of May, 20. Bishops, fiue Generals, and one Auditor of the *Rota* were come to *Trent*, all much wearied with expectation. These commended the rest, who, not caring to be hastie, expected to see a more reasonable occasion to part from their home, and were by them called, to their great distaste, headlong fooles, for being so easily perswaded. Therefore they asked the Legats leaue to goe for fifteene or twenty dayes to *Venice*, *Milan*, or elsewhere, to auoide the incommodities of *Trent*, pretending want either of health, or apparell, or other respects. But the Legates, knowing how much it concerned the reputation of the Councell, entertained them, partly by saying they had not power to giue leaue, and partly by giuing hope that the Councell should begin within few dayes. *Cæsars* Ambassadour returned to his Ambassage at *Venice*, vpon pretence of indisposition, leauing the Legates doubtfull whether it were by the Emperours commission vpon some ticke, or for being weary to bee idle and incommodated. Hee promised a speedie returne, adding that in the meane while the Ambassadours of the King of the Romanes remained there to assist the seruice of God; and yet hee desired the Councell should not bee opened vntill his returne.

The Prelates desire to depart frō *Trent*. And *D. Diego* returneth to *Venice*.

But in the end of the next moneth the greater part of the Bishops, moued, some by pouertie, and some by incommoditie, made grieuous complaints, and raised as it were a seditiō among themselues, threatning that they would depart, and had recourse to *Francis Castel-Alto*, gouernour of *Trent*, whom *Ferdinand* had appointed to hold his place, together with *Anthonie Gineta*. This man came before the Legats, and desired them in the name of his King, that now at last they would begin, it being plaine how much good would ensue by the celebration, and how much euill by temporizing thus. The Legats

1545
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

held themselues offended herewith, because they thought it was to shew the world that which was contrary to the trueth, and to attribute to them the delay, which proceeded from the Emperour. And though they among themselues resolued to dissemble, and to answere in generall termes, yet the Cardinall *Monte* could not bridle his libertie, but in making answere, concluded in the end with perswasion to expect *Don Diego*, who had more particular commissions then hee. It was hard to entertaine and comfort the Prelates, who ill endured that idle delay, and especially the poore ones, who wanted money, and not wordes. Wherefore they resolued to giue at the Popes charge, fortie Ducats a yeere to the Bishops of *Nobili*, *Bertinoro*, and *Chioza*, who complained more then the rest; and fearing that the munificence might giue pretence hereafter, they decclared themselues that it was for a subsidie, and not for prouision. They gaue the Pope an account by letter of what they had done, shewing him the necessitie to assist them with some greater ayde: but telling him withall, that it was not good to giue it as a firme prouision, that the Fathers might not seeme the stipendaries of his Holinesse: which would cherish the Protestants excuse, not to submit themselues to the Councell, because it was composed onely of those that depended on, and were obliged to the Pope.

Money is giuen to the poore Bishops

At the same time the Emperor, in *Wormes*, cited the Archbishop of *Collen* to appeare before him within thirtie dayes, or to send a Proctor, to answere to the accusations and imputations layd vpon him, commanding him in the meane space not to make any innouation in Religion and Rites, but to reduce the things innouated to their former state. *Hermannus* Bishop of *Collen*, desiring to reforme his Church, in the yeere 1536. called a Councell of the Bishops his Suffragans, where many Decrees were made, and a booke printed, composed by *Iohn Groperus*, a Canonist, who, for seruice done to the Church of *Rome*, was after created Cardinal by Pope *Paul* the fourth. But whether the Archbishop, and *Groperus* himselfe were not satisfied with the reformation, or whether hee changed his opinion, hee assembled the Clergie and Nobility, and chiefe men of his State in the yeere 1543. and established another reformation. This, though it were approoued by many, pleased not the whole Clergie, yea, the maior part opposed it, and made *Groperus* their head, who before had giuen counsell for it, and promoted it. They entreated the Archbishop to desist, and expect a generall Councel, or at the least, an Imperiall Diet; which not being able to obtaine, in the yeere 1545. they appealed to the Pope, and to the Emperour, as supreme aduocate, and protectour of the Church. The Archbishop published by a writing, that the appeale was friuolous, and that hee could not desist from that which belonged to the glory of God, and amendment of the Church; that hee had not to doe either with the Lutherans or others, but that hee obserued the doctrine agreeable to the holy Scripture. The Archbishop going on in his reformation, and the Clergie of *Collen* insisting vpon the contrary, the Emperour receiued the Clergie into his protection, and cited the Archbishop, as hath been said.

The Archbishop of *Collen* is cited by the Emperour in *Wormes*.

This newes comming to *Trent*, gaue matter to passe the time at the least with discourses. The Legates were much moued, and amongst the Prelates

which

which were present those that were of any vnderstanding blamed the Emperour, for making himselfe Iudge of faith and reformation; the most gentle word they spake was, that the Emperours proceeding was very scandalous. They beganne to know they were not esteemed, and that to bee idle, was to be scorned by the world. Therefore they did discourse that they were constrayned to declare themselues to bee a Councel lawfully called, and to beginne the worke of God, proceeding first against the foresaide Archbishop, the Elector of *Saxony*, the Landgraue of *Hassia*, and likewise against the K. of *England*. They grew into so great spirits that they seemed not the same, who a few dayes before thought themselues confined in prison. The Ministers of the Archbishop of *Mentz* abated this heat, putting them in minde of the greatnesse of those Princes and their adherents, and the danger to make them vnite themselues with the King of *England*, and so to make a greater fire in *Germany*: and the Cardinall of *Trent* spake in the same forme. The Italian Bishops, thinking it a great matter to meddle in such eminēt subiects, said it was true that all the world would be attentiue at such a processe, yet that all the importance was to beginne and ground it well: They incited one another, saying it was necessary to redeeme the slowenesse past with celerity hereafter. That they should demand of the Pope, some man of worth to perorate against the accused, as did *Melchior Baldassino*, against the Pragmatique, in the *Laterane* Councel; beeing perswaded that to depriue Princes of their States had no other difficulty, then to vse well the formes of Processes. But the Legates, as well for this as for other occurrences, knew it to bee necessary to haue such a Doctor, and wrote to *Rome* to be prouided of one.

1545. PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

The Emperor is blamed, for the Citation; by the Fathers of *Trent*.

The Pope vnderstanding the Emperors action, was astonished, and doubted whether to complaine or be silent. To complaine, when no effect would succeed he thought friuolous, and a demonstration of his small power. And this mooued him exceedingly. But on the other side, considering well how much it imported him not to passe ouer a matter of that moment, hee resolued not to giue words, as they did in *Trent*, but to proceed to facts, and answere the Emperour afterwards, if he should speake of it. Therefore hee made an other citation against the Archbishop, the eighteenth of Iuly, that within sixtie dayes hee should appeare before him. Hee cited also the Deane of *Collen*, and fiue of the principall Canons, leauing the world to dispute how the Archbishop could appeare before two which cited him, for the same cause, in diuers places, at the same time, and how a dispute of the competencie of the place of iudicature belonged to the honour of Christ. But how this succeeded, and what ende the cause had, shall bee saide in its place.

The Pope was wonderfully distasted with the Citation.

The Archbi. is cited by the Pope.

To returne to that which more neerely concerneth the Councel, the Emperour assayed in the Diet diuers wayes, to make the Protestants grant him assistance against the Turkes, not mentioning Religion. Whereunto they still answered, that they could not resolue without they were secured, that the peace should bee kept, and that, by the conuocation in *Trent* vnder the name of a Councel, it was not vnderstood that the time of the peace was ended, according to the Decree of the former Diet, but declared that the peace cannot be interrupted, nor themselues enforced by any Decrees made

The Emperor demandeth assistance against the Turkes of the Protestants, who giue a conditionall answere.

1545 Pavl 3. Charles 5. Henry 8. Francis 1.

in *Trent*; becauſe they cannot ſubmit themſelues to that Councel, where the Pope, who hath condemned them already, hath free power. The Emperor ſaide, hee could not giue them peace which might exempt them from the Councel, to whoſe authority all are ſubiect; that he had no way to excuſe himſelfe to other Kings and Princes, if it were granted to *Germany* alone not to obey the Councel, aſſembled eſpecially for her ſake. But if, as they ſaide, they pretended a cauſe why they would not ſubmit, let them goe to the Councel, and alleadge their reaſons why they ſuſpect it; that they ſhould be heard, and if it appeared they had wrong, they might then refuſe; that it was not pertinent to preuent, and to ſuſpect that which appeared not, pretending grieuance of things to come, and iudging of that which is not ſeene as yet. They replyed, they ſpake not of things to come but paſt, their Religion beeing condemned already, and perſecuted by the Pope and all his adherents. Therefore they were not to expect any future iudgement, becauſe it was paſt already. That it was iuſt that the Pope, and his adherents of *Germany*, and of all other places, ſhould make one part in the Councel, & themſelues the other, and for the difficulty about the manner and order of proceeding, the Emperour, Kings, and Princes ſhould be Iudges, but for the merits of the cauſe, the Word of God onely.

They could not be remooued from this reſolution, though the Ambaſſadour of *France*, there preſent, did very much, and with menacing termes, entreat them to conſent to the Councel; which threats the Miniſters of that K. the Popes fauourers, did dictate to the Ambaſſadour, when hee parted from *France*. The Imperialiſts propoſed the tranſlation of the Councel into *Germany*, vnder the Emperors promiſe to labour effectually, that the Pope ſhould condeſcend; which the others accepted, vpon condition the peace were eſtabliſhed vntill the Councel were aſſembled there. But *Charles*, being ſure that the Pope would neuer agree, ſaw that this was to giue them a perpetual peace, and therefore he thought it better to leaue things in ſuſpence, granting it only vntill an other Diet, ſeeing hee was conſtrayned, hauing not concluded truce with the Turkes as yet, and eſteeming more that warre; thinking that by occaſion of a Colloquie, other reaſonable meanes would bee offered hereafter to make them conſent anew to the Councel of *Trent*, or, in caſe of refuſall, to hold them contumacious, and to make war againſt them. Therefore the fourth of Auguſt hee ended the Diet, and ordayned another in *Ratisbon*, for Ianuary next, whereat the Princes ſhould be perſonally preſent, and inſtituted a Colloquie in matter of Religion, of foure Doctors, and two Iudges for a ſide. This was to beginne at December, that the matter might be digeſted before the Diet. Hee confirmed and renewed the former Edicts of peace, and ſet downe a maner to pay the contributions for the war. How the Colloquie did proceed, ſhall be ſaid in its place.

Another Diet is ordayned in *Ratisbon* for Ianuary.

The Proteſtants, being departed from *Wormes*, ſet forth a booke, where they ſaid in ſumme, that they eſteemed not the Tridentine for a Councell, being not aſſembled in *Germanie*, as *Adrian* and the Emperour promiſed; whereunto to make ſhew of giuing ſatisfaction by making choice of *Trent*, was to mocke the world, becauſe *Trent* cannot bee ſaide to bee in *Germanie*, but onely becauſe the Biſhop is a Prince of the Empire: but for ſecuritie, that

The Proteſtants do proteſt againſt the Tridentine councel.

it was

it was as well in *Italy*, and as much in the Popes power as *Rome* it ſelfe. And the rather they eſteemed it not lawfull, becauſe Pope *Paul* would bee preſident in it, and propoſe by his Legats; that the Iudges were tyed vnto him by oath; that the plea being againſt the Pope, himſelfe ought not to be Iudge; that it was neceſſary to treat firſt of the forme of the Councell, then of the authorities, whereupon to ground. But the Emperours reſolution diſpleaſed alike in *Trent* and at *Rome*, as well becauſe a ſecular Prince medled in Religion, as becauſe, it ſeemed the Councell was caſſeered, in regard, that approching, order was giuen to handle elſe-where the controuerſies of doctrine. The Prelats in *Trent* blamed the Decree, as it were with one voyce, ſaying it was worſe then that of *Spira*, and maruelling that the Pope, who ſhewed himſelfe ſo quicke againſt that, had and did tolerate this, after that the Councell was intimated, and alreadie aſſembled. From this they drew a manifeſt argument, that their remaining in *Trent* was vaine and diſhonourable. The Legats tryed their wits to conſolate, and perſwade them, that all had beene permitted by his Holineſſe for a good end. But they replyed, that whatſoeuer the end was, and what thing ſoeuer doth follow, the blemiſh, not onely of the Pope and Apoſtolique Sea, but of the Councell and the whole Church will neuer bee taken away. Neither could the Legats reſiſt their complaints, which ended in demaunding leaue to depart, ſome alledging neceſſary and important affaires of their own, and ſome to retire themſelues into ſome of the next cities for infirmitie or indiſpoſition. And though the Legats gaue leaue to none, yet ſome of them daily tooke it, ſo that before the end of the moneth, there remained very few. But in *Rome*, though this ſucceſſe was foreſeene by the negotiation of Cardinall *Farneſe*, yet after it happened they began to thinke more exactly of it. They conſidered that the Emperors ends were much different from the Popes; for he, holding things in ſuſpence, diſpatched his buſineſſe well in *Germany*, giuing the Proteſtants hope, that if they pleaſed him, hee would not ſuffer the Councell to be opened, and putting them in feare, that in caſe they did not, it ſhould begin and proceede againſt them. Therefore he euer cauſed ſome new emergents to ariſe, which might hold things in ſuſpence, paſſing the time pleaſantly vnder diuers colours, and ſometimes alſo propoſing that it were better to transferre it to another place, giuing hope he could be contented it were tranſlated into *Italie*, euen vnto *Rome*, that the Pope and Prelats of that Nation might more eaſily hearken to the propoſition, and draw the Councell in length.

1545.
PAVL 3.
CHARLES 5.
HENRIE 8.
FRANCIS 1.

The Emperor is taxed again for medling in religion.

The Prelats in Trent are diſcontented, and moſt of them do depart.

The Emperor deſireth to hold the Councell in ſuſpence.

The Pope was in great ſtraits. Sometimes hee had the ancient deſire of his predeceſſors that the Councell ſhould not be celebrated, and condemned himſelfe for hauing proceeded ſo farre; yet hee ſaw that it was ſcandalous and dangerous to him, to ſhew openly that hee would not haue it, by diſſoluing that ſmall congregation which remained in *Trent*. He ſaw cleerely that it was not a good remedie to extinguiſh hereſies. For concerning that which belonged to *Italie*, it was better to prouide againſt it by force, and by the office of the Inquiſition, whereas the expectation of the Councell hindereth that which is the onely remedie. For *Germanie*, it appeared plainely that the Councell did rather make difficult, then facilitate thoſe things.

The Pope is doubtfull what courſe to take.

1545
PAVL 3.
CHARLES 5.
HENRIE 8.
FRANCIS 1.

things. Beſides, in caſe it were celebrated, hee doubted whether hee ſhould graunt the Emperour the halfe fruits and vaſſalages of the Monaſteries in *Spaine*. For if hee did not, his Maieſtie would bee angrie, and if hee did it, hee doubted that the Spaniſh Prelates would diſcouer in the Councell that they were alienated from him and the Apoſtolike Sea, for giuing that to others which belonged to them. He ſaw likewiſe that the Prelates of the kingdome were il ſatisfied, who would think it intolerable to pay the tenthes, and bee at charges in the Councel. Hee thought that thoſe of *France* would ioyne with thē, & incourage them, not for charity, but to hinder the Emperors profit. Therefore he began to incline to the tranſlation, ſo that it were not caried further into *Germanie*, as was treated of in *Wormes*, whereunto he ſaid hee would neuer conſent, though he had an 100. hoſtages, and as many pawnes: & the rather, becauſe by transferring it more into *Italy*, into a place more fertill, commodious and ſecure, hee thought hee auoyded the inconuenience of continuing in that ſtate, and letting the Councel lie at anchor, and be drawen in length from ſeaſon to ſeaſon; the worſt reſolution that could be made, for infinite and perpetuall preiudices which might enſue. Beſides, by the time which the tranſlation required, the preſent miſchiefe was cured, which was, to haue a Councel, and Colloquie, and a Diet inſtituted for religion concurre together, not knowing what end the one or the other might haue; a thing diſhonourable, and dangerous, and of bad example; and the Prelates would bee ſatisfied by parting from *Trent*. Beeing thus reſolued, that hee might be prouided to put it fitly in execution, hee ſent to the Legates the Bul of facultie to tranſlate it, dated February 22, of which it hath beene ſpoken before.

The Bull of tranſlation.

Theſe thoughts did not poſſeſſe either the whole, or the principal part of the Popes mind, but he thought much more of infeoffing his ſon in *Parma* & *Piacenza*, which he had imparted to *Ceſar*, & did effect it in the end of Auguſt, not reſpecting the generall murmuring, that, while the clergie was to bee reformed, the head of it ſhould beſtow principalities vpon a ſonne of a damned coniunction. This the whole Colledge tooke ill, though onely *Iohn Dominicus de Cupis*, Cardinall of *Trani*, with ſome few more, oppoſed it; *Iohn Vega*, the Emperours Ambaſſador, refuſed to bee preſent, and *Margarite* of *Auſtria*, his nephewes wife, ſhewed herſelfe diſcontented, becauſe ſhee deſired the inueſtiture in the perſon of her husband, for that ſhee loſt the title of the Dutcheſſe of *Camerino*, and got nothing. Afterwards, being wholly imployed in freeing himſelfe from the difficulties and dangers which the Councell brought with it ſtanding thus, neither opened nor ſhut, but ſo as it might ſerue the Emperours turne againſt him, he reſolued to ſend the Biſhop of *Caſerta* to treate with his Maieſtie, propoſing either to haue it opened and begun, or ſuſpended for a time; and in caſe that pleaſed not, he was to propoſe the tranſlation of it into *Italie*, to giue conuenient time to what ſhould bee handled in the Colloquie and Diet, or ſome other match, which were not ſo diſhonourable and dangerous for the Church, as to haue the Councell remaining ſtill on foote, and the Legats and Prelats idle.

There is much murmuring at the donation of *Parma* and *Piacenza* to a baſtard.

The Pope ſendeth a Nuncio to the Emperor.

This negotiation had many rubs. For the Emperour was reſolute, not to

conſent

consent either to suspension or translation; nor holding it good for his ends to begin it, he did not absolutely denie any of the things proposed; and hauing no other course to take, he knew not what to doe, but to interpose difficulties to the three propositions. Finally, in the middest of October, hee found out a temper, that the Councell should bee opened, and the reformation treated of, forbearing to speake of heresies and points of doctrine, lest they should prouoke the Protestants. The Pope aduised heereof by the *Nuncio* his letters, was touched at the very heart. For hee saw plainely that this was to giue the victory into the hands of the Lutherans, and to robbe himselfe of all authoritie, making him depend of Colloquies and Imperiall Diets, ordaining in them treaties of religion, and forbidding the Councell to meddle with them, and so to weaken him by alienating his dependants, and to strengthen the Lutherans, by supporting, or not condemning their heresies. And being assured that his and the Emperours interests were so contrarie, as that they could not be vnited, he resolued to conceale his owne ends, and to proceede as best befitted his affaires. Therefore, without shewing any distast of the answere, hee presently replied to *Caserta*, that, for his Maiesties sake, hee resolued to open the Councell immediately, commanding that the acts thereof should begin, and all should proceede with full libertie, and in fit manner and order. This the Pope saide in such generall termes, because hee would not expresse himselfe, what should bee first, or what last, or what treated of, or what wholly left out. For hee was resolute to handle the matter of religion and points of doctrine principally, without alleadging other reason, in case hee should bee constrained to alleadge any, but that to treate of reformation onely, was a thing neuer vsed before, contrarie to the reputation both of himselfe and of the Councell. Therfore, the last of October, hauing imparted all to the Cardinals, by their counsell and aduise, he ordained, and wrote also to *Trent*, that the Synode should be opened the next Sunday, called *Gaudete* in Aduent, which was to bee the 13. of December.

1545
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The Pope is much offended with the Emperors answere.

He giueth order to begin the Councell the 13. of December.

The Prelates shewed great ioy for the newes, seeing themselues deliuered from the imminent danger, to remaine long in *Trent*, and doe nothing. But a little after the ambiguities were on foot againe. For letters came from the French King to his Prelates, which were three, that they should depart. This seemed to the Legates a thing of the greatest importance, being as it were a declaration, that *France* and the King approoued not the Councell. They vsed all meanes to hinder their departure, telling the Prelates, that the King gaue that order when the case was otherwise, and that they ought to expect another, because his Maiestie was now informed of the present state, putting them in minde of the scandall that would ensue, in case they did otherwise, and of the offence which other Nations would take. The Cardinall of *Trent*, and the Spanish and Italian Prelates protested against their departure. Therefore in conclusion they tooke a middle course, which the King commended when hee knew it, that the Lord of *Renes* should goe to giue the King an account, and the other two remaine.

The 3. French Prelats are recalled, but two of them are perswaded to remaine.

The last of Nouember, the time prefixed for the opening of the Councel, approaching, the Legates wrote to *Rome*, that, to preserue the authority of

the

1545
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

the Apostolique Sea, it were fit, in opening of it, to reade and register a Bull, which might command it to bee done; and they made a dispatch in all diligence that it might come in time. The answere, together with the Bull, arriued the eleuenth of December. Therefore the Legates commanded a fast and Procession the next day, and made a Congregation of all the Prelates, where first the Bul was read, & then all treated of which was to be done the next day, in the Session. The Bishop of *Estorga* proposed, after a pleasing manner, that it was necessary to reade in the Congregation the Briefe of the Legation and Presidencie, that all might make profession of their obedience, and subiection to the Apostolique Sea. The requeſt was approoued by almost all the Congregation, and accompanied with the particular instance of euery one. But the Legate *Santa Croce*, considering how farre the demand might reach, and that to publish the authoritie of the Presidencie, might breed danger to haue it limited, thinking it better, by keeping it secret, to vse it as occasion serued, answered readily, that in the Councell all were but one bodie, and that it was equally necessary to reade the Buls of euery Bishop, to shew hee was such a one, instituted by the Apostolique Sea; which would be tedious, and, by reason of those who dayly will come, would spend the time of all the Congregations; and so hee stopped the requeſt, and retained the dignitie of the Legation, which consisted in being vnlimited.

The Legats would not suffer the Bull of their Legation to bee read.

The thirteenth of December came at last, when in *Rome* the Pope published a Bull of Iubilie, where he declared that hee had intimated a Councell to heale the wounds of the Church, caused by impious heretikes. Therefore hee exhorted euery one to assist the Fathers, assembled therein, with their prayers to God: which to doe effectually and fruitfully, they ought to confesse themselues, and fast three dayes, and, during that time, to goe in processions, and then to receiue the most blessed Sacrament, granting pardon of all his sinnes to whosoeuer did so. The same day the Legates in *Trent*, with all the Prelates, in number 25. in pontificall habit, accompanied with the Diuines, Clergie, and people of forreine parts, and of the Citie, made a solemne procession, from *Trinitie* Church to the Cathedrall; where *Monte*, the prime Legate, did sing the Masse of the holy Ghost, in which the Bishop of *Bisonto* made a long copious eloquent Sermon. That beeing ended, the Legats caused a long written admonition to bee read, the summe whereof was: that it was their charge during the whole course of the Councel, to admonish the Prelates in occurrences, and that it was fit to begin in that Session, vnderstanding that this admonition & all the rest, were as well made to themselues, as to others, as being of the same condition, with them; that the Councell was assembled for three causes; for the extirpation of heresie, restitution of Ecclesiastical discipline, and regaining of peace. To execute which things it was fit to haue first a true and inward sense, what it was to be the cause of all those three calamities. Of heresies, not that they had raised them, but that they had not performed their duety in sowing good doctrine, and rooting out the cockle. Of manners corrupted that there was no neede to make mention, it beeing manifest, that the Clergie and Pastours onely were corruptors, and corrupted. For which things God had also sent the third plague,

The Councel is opened in *Trent*, and a Iubilie published in *Rome*.

The ceremonies vsed.

The admonition of Card. *Monte*.

which

which was the war, forraine of the Turkes, and ciuill of the Christians. That without this inward and true acknowledgement, their entrance into the Councell, and calling vpon the holy Ghost were in vaine. That the iudgement of God was iust to punish them so deepely, though it were lesse then they deserued. Therefore they exhorted euery one to know his owne faults, to mitigate the wrath of God, replying that the Holy Ghost, which they had inuocated, would not come, if they refused to heare of their owne sinnes, and, like *Esdras*, *Nehemiah*, and *Daniel*, confesse them. He added that it was a great blessing of God, that there was such an occasion giuen to beginne a Councel, for reformation on all hands. And though contradictors will not bee wanting, yet it was their duety constantly to goe on, and, as Iudges, to auoyde passion, and aime onely at the glory of God, in regard they are to performe this duety before him, the Angels, and the whole Church. In fine, they admonished the Bishops sent by the Princes, to doe their Masters seruice with faith and diligence; yet preferring the honour of God before all. Afterwards the Bul of the intimation of the Councel in the yeere 1542. was read, and a Briefe of the simple deputation of the Legates, together with a Bul of the opening of the Councel; and immediately *Alfonso Zorilla*, Secretarie to *Don Diego*, stepped forward, and reproduced the Emperours Commission presented before to the Legates, and shewed a letter of *Don Diego*, in which he excused his absence, by reason of his indisposition. For his excuse the Legates saide it was worthy to be admitted. For the Commission, though they might insist vpon the answere giuen before, yet they were pleased for greater reuerence to receiue it againe, and examine it, and make answere afterwards.

1545
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

These things beeing done, according to the rite of the Roman Ceremonial, all kneeled downe to pray softly, as the vse was in all the Sessions, and then they said aloud, *Adsumus Domine, &c. Sancte Spiritus, &c.* which the President spake with an high voice, in the name of all. The Letanie beeing sung, the Gospel was read by the Deacon; *Si peccauerit in te frater tuus, &c.* And lastly the hymne, *Veni Creator spiritus*, beeing sung, and all sat downe in their places, the Cardinall of *Monte* pronounced the Decree, with interrogatorie words; reading, whether it pleased the Fathers, for the praise of God, extirpation of heresies, reformation of Church and people, depression of the enemies of Christ, to determine and declare that the holy Tridentine and Generall Councel should begin and bee begun; whereunto all answered, first the Legates, then the Bishops, and other Fathers by the word *Placet*. He then added, whether in regard of the feasts of the old and new yeere, it pleased them that the next Session should be the fifteenth of Ianuary; and they answered likewise that it pleased them. This beeing done, *Hercules Severallo*, Speaker of the Councel, desired the Notaries to make an Instrument of all. The himne, *Te Deum laudamus*, was sung, and the Fathers putting off their Pontificall habits, and putting on their common, accompanied the Legates, the Crosse going before. These ceremonies beeing vsed in the Sessions following, shall be repeated no more.

The decree for opening the Councel, and holding the next Session.

Germanie and *Italy* were very curious to know the first actions of this assembly, which was begun with so many difficulties, & the Prelats in *Trent*,

and

1545 Pavl 3. Charles 5. Henry 8. Francis 1.

and those of their family, were charged by their friends to aduise them of it. Therefore, immediatly after the Session, a copie of the Legats admonition, and of the oration of *Bitonto* was sent into euery place, which were quickly printed. Whereof that I may the better tell what was commonly spoken, it is necessary to relate briefely the contents of the Oration. It began with shewing the necessitie of the Councell, because it is an hundred yeares since that of *Florence*, and because things of difficultie belonging to the Church, cannot well be handled but in it. For in them the Creeds haue beene made, heresies condemned, manners amended, Christian Nations vnited, armies sent to conquer the holy land, Kings and Emperours deposed, and schismes rooted out. And that for this cause the Poets introduce the Councell of the Gods. And *Moyses* writeth, that they were conciliarie voyces, the Decree to make man, and to confound the tongues of the Giants. That Religion hath three heads, Doctrine, the Sacraments, and Charitie; and that all these three call for a Councell. He declared the corruptions entred into them, for restauration of which, the Pope, by the fauour of the Emperour, Kings of *France*, of the *Romans*, and of *Portugall*, and of Christian Princes, hath assembled the Synod, and sent his Legats. He made a long digression in commendation of the Pope, and another, not much shorter, in praise of the Emperour; then he praised the three Legats, deriuing their commendation from the name and surname of each of them; and added that the Councell being assembled, all ought to meete in it as in the *Troian* horse. Hee inuited the woods of *Trent*, to sound forth through the world, that all should submit themselues to that Councell; which if they doe not, it will be iustly said, that the Popes light is come into the world, and men haue loued darknesse better then the light. He lamented that the Emperour was not present, or, at the least, *Don Diego*, who represented him. He congratulated the Cardinal *Madruccio*, that the Pope had assembled in his Citie the disperst and wandering fathers. He turned to the Prelats, and said, that to open the gates of the Councel, was to open the gates of Paradise, from whence would descend liuing water, to fill the earth with the knowledge of the Lord. Hee exhorted the fathers to amendment, and to open their hearts, as dry ground, to receiue it; adding, that if they doe it not, yet the holy Ghost will open their mouths, though their minds bee possessed with an euill spirit, as hee did the mouthes of *Caiphas* and *Balaam*, lest, if the Councel should erre, the Church should erre also. He exhorted them to lay aside all passion, that they may truly say, It seemed good to the holy Ghost and to vs. Hee inuited *Greece*, *France*, *Spaine*, *Italy*, and all Christian Nations to the Mariage. In fine, he turned himselfe to Christ, praying him, by the intercession of Saint *Vigilius* (the tutelarie Saint of the valley of *Trent*) to assist that Councell.

The Contents of the oration, made by the Bishop of *Bitonto*.

The censure of the oration.

The Legates admonition was accounted pious, Christian, modest, and worthy of Cardinals; but the Sermon of the Bishop was iudged farre otherwise. His vanitie and ostentation of eloquence was noted by all. But men of vnderstanding compared, as an holy sentence to a wicked, those ingenious and most true words of the Legats, that without a good inward acknowledgement, the holy Ghost would in vaine be called on, with the saying of the Bishop quite contrarie, that, without that, their mouth should be o-

pened

pened by the holy Ghoſt, though their heart remained repleniſhed with a wicked ſpirit. It was thought arrogancie to affirme, that, in caſe thoſe few Prelates erred all the Church would erre; as if other Councels of ſeuen hundred Biſhops had not erred, and the Church refuſed their doctrine. Others added that this was not conformeable to the doctrine of the Romaniſts, who grant not infallibilitie but to the Pope, and to the Councell by vertue of the Popes confirmation. But to compare the Councell to the Troian horſe, an inſidious inuention, was noted of folly, and reprehended for irreuerence. To haue retorted the words of the Scripture, that Chriſt and his doctrine, the light of the Father is come into the world, and men haue preferred darkeneſſe before the light, making the Councell and doctrine thereof, to bee the Popes light, appeared to the world, which if it were not receiued, it ſhould bee ſaid, men haue loued darkeneſſe more then light, was eſteemed a blaſphemie, and it was wiſhed that at the leaſt hee had not taken the formall words of the holy Scripture, that hee might not haue ſhewed ſo openly to haue diſeſteemed it.

1545
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

But in *Trent*, the beginning being made, neither the Prelates, nor Legats themſelues knew what ſhould bee handled, nor what order obſerued. Therefore the Legates wrote to *Rome* a letter, worthie to bee repeated at large, to giue an account of what was done before. Firſt they ſaid they had appointed the next ſeſſion the day after the Epiphanie, as a terme which could not bee taxed neither of too long delay, nor too much breuitie, that in the meane time they might be aduiſed how to gouerne themſelues in the other ſeſſions, wherein they deſire to haue light; and becauſe they might euery houre be interrogated of diuers things, for which they could not haue ſpace to aduiſe and expect an anſwere, they deſired that as particular an inſtruction, as was poſſible, ſhould bee ſent them. Aboue all they deſired aduertiſemnt concerning the manner and forme to proceede, to propoſe, to reſolue, and what matter ſhould bee handled. They demanded eſpecially if the cauſe of hereſies ſhould be the firſt, or ſhould be treated of in generall, or in particular, condemning the falſe doctrine, or the perſons of the principall heretikes, or the one and the other together: if the Prelates propoſe an Article of reformation, whereat all ſeeme to aime, whether it ſhould bee handled together with the Article of religion, or before or after: if the Councell ought to intimate its beginning to all people and nations, inuiting the Prelats and Princes, and exhorting the faithfull to pray God for it, or if his Holineſſe will doe it himſelfe; when there ſhall bee occaſion to write ſome letter, miſſiue or reſponſiue, what forme is to bee vſed and what Seale; likewiſe what forme is to be vſed in the extenſion of the decrees; if they ſhould take notice of the Colloquie and Diet which will be held in *Germanie*, or diſſemble it; if they ſhall proceede ſlowly or ſwiftly, as well in determining the ſeſſions, as in propoſing the matters. They informed that ſome Prelates thought fit to proceede by nations; which they held to be ſeditious; that it would make the Prelates of euery one to mutin, and that the greater number of Italians, who are moſt faithfull to the Sea of *Rome*, would helpe nothing, when the ſuffrage of them altogether would be of equall value with the ſuffrage of a few French men, or Spaniards, or Dutch men. They ſent aduiſe alſo that it was perceiued

The Legates not knowing how to proceed, write to *Rome*.

1545
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

that ſome had a deſigne to diſpute of the authoritie of the Councell, and Pope; a thing dangerous to raiſe a ſchiſme amongſt the Catholikes themſelues; and that in the congregation of the 12. all the Prelats ioyntly and earneſtly deſired to ſee the commiſſion of their facultie, which they were conſtrained artificially to auoide, not knowing as yet how their preſidencie ought to be vnderſtood and how farre his Holineſſe would haue it extended. They demanded alſo that order might be taken for the rodes, that euery day and houre they might ſend and receiue aduiſe, as occaſion ſerued; they deſired ſome order about the precedencie of Ambaſſadors of the Princes, and prouiſion of money, in regard thoſe 2000. crownes, ſent them a little before, were ſpent vpon ſome poore Biſhops.

The Prelates were earneſt that the worke might begin; wherefore the Legates to giue them ſome ſatisfaction, and to ſhew they were not idle, called a congregation the 18. day, without propoſing any thing but the manner of liuing, and conuerſing, and gouerning their families. Much was ſaide againſt the vſe brought in, eſpecially in *Rome*, to weare the habit of a Prelate in the ceremonie onely, and at other times of a ſecular. Sumptuous apparrell, as alſo baſe and ſordide, were equally reprehended: and much was ſaide of the age of their ſeruants, but all was referred to bee reſolued in another congregation, which was helde the two and twentieth, and was wholly ſpent in diſcourſing vpon ſuch ceremonies, concluding that a good reformation of the minde was principally neceſſarie: wherefore ayming at the ſeemelineſſe which belongeth to their degree, and edification of the people, euery one will ſee what hee hath to redreſſe in himſelfe, and his familie.

The Pope, vnderſtanding the Councell was begun, deputed a congregation of Cardinals and Courtiers to ſuperintend, and aduiſe concerning the affaires of *Trent*. Conſulting with theſe, hee reſolued that things were not as yet ripe enough to ſee cleerely what matters were to bee handled, and in what order. Hee cauſed an anſwere to bee ſent to the Legates that it beſeemed not the Synode to inuite either Princes or Prelates, and leaſt of all to deſire any one to aſſiſt them with prayers, becauſe this hee had ſufficiently done himſelfe by the Bull of the Iubelie, and that by the letters for the conuocation of the Councell: that they ought not to thinke that the Synod ſhould write to any, the Legats hauing power to ſupplie that, by their owne letters written in all their names. Concerning the extenſion of the Decrees, the title ought to be. The moſt holy, Ecumenicall and generall Synode of *Trent*, the Apoſtolicall Legats being Preſidents. But for the forme of giuing voyces, that their reaſons were very good not to doe it by nations; the rather becauſe it was neuer vſed in ancient times, but was introduced by the Councell of *Conſtance*, and followed by that of *Baſil*; which are not to be imitated. But the forme vſed in the laſt *Lateran* Councell being the beſt and moſt decent, they ſhould follow that, by which late example, which ſucceeded well, they might ſtop the mouth of whoſoeuer propoſed any to the contrary. And cõcerning the condẽnation of the heretikes, & matters to be handled, & other things demanded by them, order ſhould be giuen in time conuenient: in the mean ſpace they ſhould ſpend the time in preãbulary things, according to the

The Popes anſwere.

cuſtome

1545
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

custom of other Councels. That they should maintain their presidencie with that comlines that beseemeth the Legats of the Apostolike Sea, yet so as that they may giue satisfaction vnto all, but, aboue all, should vse diligence that the Prelates should not exceede the bonds of honest libertie, and reuerence towards the Apostolike Sea. It was a matter of greater importance to assist the Prelates that they might be able to maintaine themselues. Therefore hee sent a Briefe, by which hee exempted all the Prelates of the Councell from payment of Tenths, and granted them the participation of all fruits, as well in absence as presence: hee sent also two thousand crownes to helpe the needie Bishops, giuing order they should not care to haue it published; because, in case it were knowen, it could not bee expounded but for a louing courtesie of the head of the Councell.

This place requireth, by reason of that which hath been, and will be spoken in diuers occasions, about the manner of speaking their opinions in the Councel called, *Giuing of voyces*, that it should be declared, what the custome was of old, & how this, which is vsed in these times, came first vp. The assembling of a whole Church, to handle in the Name of God the occurrences of doctrine and discipline, is a thing most profitable, vsed by the holy Apostles in the choyce of *Matthias*, and the seuen Deacons: and the Diocesan Councels are much like to this. But of the meeting of Christians from many remote places to consult together, there is a famous example in the Acts of the Apostles, when *Paul* and *Barnabas*, with others of *Syria*, met the Apostles & other disciples in *Ierusalem*, who were assembled about the question of keeping the law. And though it may be said that it was a recourse of the new Churches of the Gentiles, vnto the old mother Church, fro whence their faith was deriued, a custom much vsed in those first ages, & often rehearsed by *Irenie* & *Tertullian*, & though the letter were written by the Apostles, Elders, and brethren of *Ierusalem* only, yet in regard that not they only, but *Paul* & *Barnabas* also did speak, it may wel be called a Councel, by example wherof the succeeding Bishops thought all Christian Churches to be but one, & likewise all Bishoprickes to be but only one, so framed, that euery Bishop held a part therof, not as his owne, but so, as that all ought to gouerne the whole, & euery one to employ himselfe most in that which was particularly recommended to him; as S. *Cyprian*, in his little golden booke of the vnitie of the Church, doth piously demonstrate. In case of necessitie of any particular Church, though the persecutions sometimes waxed warme, as many as could assembled themselues, to make prouision in common. In which assemblies CHRIST and the holy Ghost being president, and charitie chasing away all humane passion, they aduised and resolued of what was fit, without ceremonies or formes prescribed. But after a certaine time, passions of men and charitie being mingled together, and there being a necessitie to gouerne them with some order, the chiefest man amongst those that were assembled in Councell, either for learning, or for greatnesse of the Citie or Church whereof he was, or for some other respect of eminencie, tooke vpon him the charge to propose and guide the action, and collect the voices. But after that it pleased God to giue peace to the Christians, and that the Romane Emperours receiued the holy faith, there happening more difficulties in doctrine and disci-

The manner of giuing voices in the Councell in all ages.

1545
Pavl 3.
Charles 5.
Henrie 8.
Francis 1.

pline, which, by reason of the ambition or other bad affections of those that had followers and credite, troubled the publique quiet, another sort of Episcopal assemblies had beginning, congregated by Princes or their Liuetenants, to remedie the troubles. In these the action was guided by those Princes or Magistrates which did call them together, who also were personally present, proposing and gouerning the treatie, and decreeing interlocutorily, the occurring differences, but leauing the decision of the principall point, for which the Councel was congregated, to the common opinion of the assembly. This forme appeareth in the Councels, whose actes doe remaine. The colloquie of Catholiques and Donatistes before *Marcellinus* & many others may serue for example. But to speake onely of generall Councels, this was done in the first Councel of *Ephesus* before the Earle *Cardidianus*, sent president by the Emperor; and more cleerely in that of *Calcedon* before *Martianus* and the Iudges by him appointed, in that of *Constantinople* in *Trullo* before *Constantine* surnamed *Pogonatus*, where the Prince or Magistrate that was president, commaunded what should bee handled, what order obserued, who should speake, and who be silent, and did decide and accommodate the differences in these things. And in the other generall Councell, the acts whereof are not extant, as of the first of *Nice*, and the second of *Constantinople*, the historians of that age doe witnesse, that *Constantine* & *Theodosius* did the like. Yet in those times, when the Bishops themselues did assemble of their owne accord and others medled not, the action was gouerned as hath bin said, by one of them, & the resolution taken according to the common consent. Somtimes the matter was so easie, that it was dispatched in one meeting. Sometimes, by reason of the difficulty or multiplicitie thereof, it was necessary to reiterate the businesse, whence proceeded the many Sessions in the same Councel. Not one of them was about ceremony, or only to publish what was digested elsewhere, but to vnderstand the opinion of euery one, and the Colloquies, discussions, disputes, and whatsoeuer was done or spoken, were called the acts of the Councel. It is a new opinion, and seldome practised, though established in *Trent*, that the Decrees onely are called actes of the Councel, and ought only to be published; but in the ancient Councels all was giuen vnto all. Notaries were present to collect the voyces, who, when a Bishop spake and was not contradicted, wrote not his proper name, but thus, The Holy Sinode saith. And when many said the same thing, it was written, The Bishops acclaymed, or affirmed, and the things so spoken were taken for decisions; if they spake in a contrarie sense, the contrary opinions were noted, and the names of the authors, and the iudges or presidents did pronounce. Sometimes some impertinency did vndoubtedly happen by reason of some mans imperfection; but charity, which excuseth the defects of ones brother, did couer it. A greater number of the Prouince, where the Councel was held, & of the borders was present; but without emulation, euery one rather desiring to obey, thē to giue a law vnto others. After the Easterne & Westerne Empires were seperated, there remained still in the West some marke of the ancient Councels, & many were celebrated in *France* and *Germany*, vnder the posterity of *Charles* the Great, and not a few in *Spaine*, vnder the Kings of the *Gothes*. At last, Princes being absolutely debar-

Councels gouerned by Princes.

red

red to intermeddle in Eccleſiaſtical matters, that kind of Councel grew in diſ- 1546
uſe, & that alone remained which was called by the Eccleſiaſtikes themſelues; PAVL 3.
the conuocation of which Prouinciall Councels was almoſt wholy aſſu- CHARLES 5.
med by the Pope, by ſending his Legates to bee Preſidents, whereſoeuer hee HENRY 8.
heard there was a treatie to hold a Councel. And after a certaine time hee FRANCIS 1.
tooke that power to himſelfe which the Romane Emperours vſed, to con-
uocate a Councel of the whole Empire, and to be Preſident himſelfe, if hee
were preſent, or, in his abſence, to ſend Legates to bee Preſidents, and to go-
uerne the action. But the Prelats, aſſembled in the Synod, being deliuered
from the feare of a Secular Prince, which kept them in awe, as worldly re-
ſpects, the cauſes of all miſchiefes, did exceedingly increaſe, which cauſed
alſo the multiplying of many indecencies, they beganne to digeſt and order
the matters in priuate, that they might obſerue a decencie in the publike
meeting. Afterwards this was obſerued for a forme, and in the Councels,
beſides the Seſſions, they beganne to make Congregations of ſome Depu-
ties, to ſet in order the matters to bee treated of, which in the beginning, if
they were many, were diuided, and a proper Congregation aſſigned to eue-
ry one. And this beeing not ſufficient to remooue all the indecencies, be-
cauſe thoſe that were not preſent, hauing different intereſts, made difficul-
ties in publique, beſides the particular Congregation, they made a generall
before the Seſſion, where all were preſent; which according to the ancient
rite, is the Conciliarie action, becauſe the Seſſion, euery thing being done be-
fore, remayneth but a pure ceremonie. But a little more then one Age
being paſt, priuate intereſts cauſed a contention to ariſe amongſt the Biſhops
of diuers Nations. Whereupon thoſe that were remote beeing few, and not
willing to bee ouercome by the borderers, who were more in number, to
make the ballance equall, it was neceſſary that euery Nation ſhould aſſemble
by it ſelfe, and reſolue according to the number of voices, and that the ge-
nerall deciſion ſhould be eſtabliſhed, not by the ſuffrages of particular men,
but by the plurality of the voices of the Nations. So it was obſerued in the
Councels of *Conſtance*, and *Baſil*: which vſe as it was good where the go-
uernment was free, as it was when the world had no Pope, ſo it ill befitted
Trent, where they deſired a Councel ſubiect vnto him. And this was the
reaſon, why the Legates at *Trent*, and the Court of *Rome*, made ſo great a
matter of the forme of proceeding, and of the quality and authority of the
Preſidencie.

Why the Romaniſts made ſo great a matter of the forme of proceeding.

But the anſwere being come from *Rome*, they called the Congregation the 1546
fifth of Ianuary 1546, where the Cardinall of *Monte* hauing ſaluted and bleſ-
ſed them all in the Popes name, cauſed the ſaid Briefe of exemption from pay-
ment of tenthes to be read. The three Legates made as it were three enco-
miaſticall Orations, one after another, declaring the Popes good affection
towards the Fathers. But ſome Spaniards ſaide that this fauour of the Pope
brought greater dammage thē benefit, becauſe the accepting of it implyed a
confeſſion that the Pope might lay burthens vpon other Churches, and that
the Councel had not authority to hinder him, nor to exempt thoſe who by
right were not to be included. The Legates were not only diſpleaſed at this,
but returned alſo ſome biting termes. Some of the Prelates demanded that

the grace might be extended to thoſe of their families alſo, and to as many as were preſent in the Councel. The Generals of the religious Orders demanded likewiſe the ſame exemption, alledging the charge of the Monaſteries for the Friars which they brought to the Councel. *Catalanus Triultius*, Biſhop of *Piacenza*, who arriued two dayes before, related publikely that hee was rifled as he paſſed neere to *Mirandula*, and deſired an order ſhould be made in the Councel againſt thoſe that hindered or moleſted the Prelates, or others that went to the Councel. The Legates, ioyning this propoſe with the foreſaid pretence of exemption, conſidering of what importance it might bee, if the Councel ſhould meddle in ſuch a buſineſſe, making Edicts for their owne exaltation, and that this was to touch the ſecrets of the Eccleſiaſticall Hierarchie, put it aſide with much dexterity, alledging it would ſeeme ſtrange to the world, aud too great a deſire of reuenge, offering to labour with the Pope, that he would prouide for the ſecurity of their perſons, and haue conſideration of the families of the Prelates, and of the Friars. And ſo they appeaſed all.

1546
Paul 3.
Charles 5.
Henry 8.
Francis 1.

And going on to the Conciliary actions, the Cardinall of *Monte* related what forme was obſerued in the laſt *Laterane* Councel, where himſelfe was preſent, as Archbiſhop of *Siponto*. He ſaid, that treating then of the French Pragmatique, of the ſchiſme againſt *Iulius* 2. & of the war betweene Chriſtian Princes, thtee deputations of Prelates were made for thoſe matters, that each Congregation beeing employed in one onely, it might better digeſt it; that the Decrees beeing framed, a generall Congregation was called, where euery one ſpake his opinion, and that by thoſe the reſolutions were better reformed, ſo that all things paſſed in the Seſſion with great concord and comlineſſe; that the buſineſſe to be handled by them was more various, the Lutheranes hauing moued euery ſtone, to ouerthrow the building of faith; therefore that it will be neceſſary to diuide the matters, and for euery one to ordaine a particular Congregation to diſpute it, to cauſe the Deputies to frame the Decrees which are to be propoſed in the generall Congregation, where euery one ſhall deliuer his opinion: which that it might bee abſolutely free, themſelues the Legates did reſolue to bee propoſers onely, and not to giue their ſuffrage but in the Seſsion. That all ſhould bethinke themſelues what was neceſſary to bee handled, that ſome beginning might bee made in the Seſsion which approached.

Card. *Monte* preſcribeth an order for diſcuſſing matters in Councel.

They propoſed then, whether they were pleaſed that a Decree already framed, concerning Chriſtian conuerſation while the Councel laſted in *Trent*, ſhould be publiſhed in the Seſsion. Which beeing read with the title, *The moſt Holy*, as the commandement from *Rome* was, the French men deſired this addition, *Repreſenting the Church Vniuerſall*: which opinion many Biſhops did follow with a ioynt conſent. But the Legates conſidering that that title was vſed only in the Councel of *Conſtance* and *Baſil*, and that to imitate them, was to renew their memorie, and to giue them ſome authority, & to open a gap to the difficulties which then troubled the Church of *Rome*; &, which imported more, conſidering that after they had ſaid (*Repreſenting the Church Vniuerſall*) ſome alſo might thinke to adde the words following, that is, which hath power immediately from CHRIST, whereunto euery one, though

A great difference about the title of the Councel.

though of Papall dignity, is bound to obey, they oppoſed ſtrongly, and (as they wrote to *Rome* in plaine termes) they whetted themſelues againſt it, without declaring to the fathers the true cauſes, but onely ſaying they were froathy and inuidious words, and that the heretikes would haue made a bad interpretation of them. And they all ſo laboured, without diſcouering the ſecret, firſt by art, then by ſaying plainely they would not permit it, that they appeaſed the generall commotion, though the French men and ſome few more remained firme in their propoſition. 1546 PAVL 3. CHARLES 5. HENRIE 8. FRANCIS 1.

And *Iohn de Salazzar*, Biſhop of *Lanciano*, a *Spaniard* by Nation, aſſiſted the Legats very much; who hauing commended in ample termes the firſt Councels of the Church, for antiquity and ſanctitie of thoſe that aſſiſted, he deſired they ſhould bee imitated in the title vſed by them, which was very plaine, without expreſſing repreſentation, or what, or how great authoritie the Councell had. But hee pleaſed them not, when he ſaid, that, by their example the name of Preſidents ought to be laid aſide, becauſe it was neuer vſed by any ancient Councell, but begun onely by that of *Conſtance*, which by reaſon of ſchiſme, changed Preſidents often: adding, that if that example were to be followed, it would alſo be neceſſary to nominate the Emperours Ambaſſadour. For then the King of the *Romans* was named, and the Princes with him. But this pride was farre remote from Chriſtian humility: and he repeated the diſcourſe of the Cardinall *Santa Croce*, which hee made the twelfth of December, by which alſo hee concluded, that they ſhould deſiſt to make mention of Preſidencie. This propoſition troubled the Legats more then the former; yet the Cardinall *Monte* ſuddenly anſwered, that Councels haue ſpoken diuerſly, according to the occurrences of the times: that formerly the Pope hath alwaies beene acknowledged, for head of the Church, nor euer any Councell hath beene demaunded, with condition it ſhould not depend on the Pope, as the Dutch-men now doe with great boldneſſe; vnto which hereticall temeritie it was fit to reſiſt in euery action, ſhewing they were ioyned with the head, which is the Pope, by making mention of his Legats. Hee ſpake much in this matter, and knowing hee could better maintaine it by diuerſion, then perſwaſions, he was a meanes they ſhould paſſe to another thing. The contents of the Decree was approued by all; but there being one particle in it, in which euery one was exhorted to pray to God for the Pope, Emperour, and Kings, the *French* Prelats deſired there ſhould ſpeciall mention bee made of the *French* King. This the Cardinall *Santa Croce* commended, but added, that the like ſpecification would be expected by all in their place, which would proue a long buſineſſe, and full of danger, by reaſon of precedencie. The *French* men replied, that in the Bull of the conuocation, the Pope had made mention onely of the Emperour and *French* King; and therefore by that example they ſhould name them both, or neither. The Legats tooke time to thinke of it, being deſirous to giue euery one ſatisfaction.

The name of Preſidents was neuer vſed in Councel before the Councell of *Conſtance*.

The ſeuenth of Ianuary all the Prelats, clad in their ordinary habit, aſſembled themſelues in the houſe of the prime Legat, from whence they went to the Cathedrall Church with the croſſe before them. Out of the Country of *Trent* were collected into the Citie three hundred foote, armed partly with pikes,

The ſeſſion Ianuary 7.

1546
Pavl 3.
Charles 5.
Henrie 8.
Francis 1.

pikes, and partly with harquebuſhes, and ſome horſe. Theſe put themſelues in file on either ſide the way, from the houſe to the Church; where the Legats and Prelats beeing entred, the Souldiers returned to the market place, and diſcharged their harquebuſhes, and remained there to guard the Seſſion. Beſides the Legats and Cardinall of *Trent*, there were preſent foure Arch-biſhops, twenty eight Biſhops, three Abbats of the congregation of *Caſsina*, and foure generals, who ſat in the place of the Seſsion. Theſe fortie three perſons made the generall Councel. Of the Archbiſhops, two were titular only, neuer ſeene in the Churches, from which they had their name, which the Pope gaue them, only to do them honor; the one was *Olaus Magnus*, Archbiſhop of *Vpſala* in *Gothland*, the other *Robert Venante*, a *Scottiſh-man*, Archbiſhop of *Armagh* in *Ireland*; who, though he were pore-blinde, was commended for this vertue, to ride poſt the beſt in the world. Theſe two men, hauing beene releeued certaine yeares in *Rome*, by the Popes almes, were ſent to *Trent* to increaſe the number, and to depend on the Legats. About the number of twenty Diuines ſtood on their feete; the Ambaſſador of the King of the *Romans*, and the Proctor of the Cardinall of *Ausburg* were preſent, and ſate vpon the Ambaſſadours bench, and neere vnto them, vpon the ſame bench, ſat ten Gentlemen, choſen out of the bordering places by the Cardinall of *Trent*. *Iohn Fonſeca*, Biſhop of *Caſtelamare* ſaid Maſſe, and *Coriolanus Martiranus*, Biſhop of S. *Marke*, made the Sermon.

When the Maſſe was ended, the Prelats put on their Pontificall habits, and then the Letanie and Prayers were ſaid, as in the firſt Seſsion. After this all ſate downe, and the Biſhop that ſaid Maſſe, mounting into the Pulpit, read the forenamed Bull, againſt admitting to giue voyce the Proctors of thoſe that were abſent, without mentioning the other, where thoſe of *Germanie* were excepted. Then he read the Decree, in which the Synod exhorted all the faithfull aſſembled in *Trent*, to liue in the feare of God, and dayly to pray for the peace of Princes, and vnitie of the Church, and thoſe of the Councell to ſay Maſſe, at the leaſt on Sundaies, and to pray for the Pope, Emperour, Kings, and Princes, and all to faſt, giue almes, to be ſober, and to inſtruct their families. It exhorted alſo all men, eſpecially the learned, to bethinke themſelues exactly how to reſiſt hereſies, and in the aſſemblies to vſe modeſtie in ſpeaking. And it ordained beſide, that if any ſat not in their place, or gaue not voice, or was not preſent in the congregations, he ſhould not receiue any preiudice, or gaine any new right. The fathers being interrogated after this was read, they anſwered, *it pleaſed them*. But the *French* men added, that they approued not ſo bare a title, and required an addition of *Repreſenting the vniuerſall Church*. In fine, the next ſeſſion was appointed the fourth of February, and the fathers had leaue to depart; who putting off their Pontificall habits, did, in their ordinarie apparell, accompanie the Legats home in the ſame order they came to Church; which was obſerued in all the ſeſſions afterward.

After the ſeſſion there was no congregation held vntill the thirteenth of Ianuary, becauſe *Peter Pacceco*, Biſhop of *Iaben*, lately created Cardinall, who expected the hat from *Rome*, without which the ceremonie gaue him not leaue to goe abroad, had a deſire to be there, becauſe order was to bee taken therein,

therein, that no inconueniences ſhould happen in the ſeſſion. The congregation being aſſembled, the Legats complained of thoſe, who in the ſeſſion had oppoſed the title; they ſhewed it was not ſeemely to cauſe diuerſitie of opinions to appeare in that publike place; that the congregations were made that euery one might deliuer his mind more priuatly, and all agree in that which was to be publiſhed; that nothing would more daunt the heretiques, and encourage the Catholiques, then the fame of vnion. They deſcended to the matter of the title, and ſaid, that none was more fit then that which the Pope had giuen in the Conuocation, and in ſo many other Bulls, where it was called, Ecumenicall and vniuerſall; vnto which it was ſuperfluous to adde (*repreſentation*) in regard whole bookes declare what a Councell lawfully called, and begun, is, and doth repreſent; that by doing otherwiſe they ſhould ſeeme to make doubt of the authoritie thereof, and reſemble it to ſome other Councell, vnto which they gaue that title, being willing to ſupplie with words the lawfull authoritie which they knew it wanted, glancing at that of *Baſil* and *Conſtance*; but to make a firme reſolution they would haue euery one deliuer his opinion.

1546
PAVL. 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The Cardinall *Pacceco* began to ſay, the Councel was adorned with very many titles, which if they were vſed in all occaſions, the expreſſion of them would bee greater then the bodie of the Decree. But as a great Emperour poſſeſſour of many kingdomes and ſtates, vſeth in his Edicts the title onely from whence they haue force, and often putteth his owne name to them without any title at all, ſo this Councell, according to the Subiects that ſhall be handled, ought to vſe many titles to expreſſe its authoritie; but now that they are in the preparatories, there is no neceſsitie to vſe any of them at all. The Biſhop of *Feltre* put them in minde, that the Proteſtants deſired a Councell where themſelues might haue a deciſiue voice; ſo that if this title be giuen to the Councell, that it repreſenteth the Church vniuerſall, they will draw an argument from hence, that ſome of euery order of the vniuerſall Church ought to be preſent. Theſe being two, the Clergie and the Laitie, it cannot be intirely repreſented, if the Laitie be excluded. But for the reſt, thoſe alſo of the Councell who aſſented to the ſimple title, were of opinion that it ought to bee ſupplied. The Biſhop of Saint *Marke* ſaid that the Laikes are moſt improperly called the Church. For the Canons determine that they haue no authoritie to command, but neceſsitie to obey, and that this is one of the things which the Councell ought to decree, that the Seculars ought humbly to receiue that doctrine of faith which is giuen them by the Church, without diſputing or thinking further on it; and therefore that it is very meete to vſe the title, that the Synode repreſenteth the Church vniuerſall, to make them vnderſtand that they are not the Church, but ought to hearken to, and obey the Church. Many things were ſpoken and they went on without any firme concluſion, but onely that the ſimple title ſhould bee vſed in the next ſeſſion, as it was in the laſt.

A diſpute about the title of the Councell.

When this was ended, becauſe certaine Prelates deſired, that at the laſt they might come to matters ſubſtantiall, the Legats, to giue them ſatisfaction, propoſed that they ſhould conſider of the three heads contained in the Popes Bulls; that is, the extirpation of hereſies, reformation of diſcipline,

and

1546
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

and eſtabliſhing of peace; how they ſhould beginne theſe treaties, what courſe they ſhould holde, and how proceede; that they ſhould pray God to illuminate them all, and euery one ſhould ſpeake his opinion in the firſt congregation. In the ende ſome commiſſions from abſent Biſhops were preſented; and the Arch-biſhop of *Aix*, the Biſhops of *Feltre* and *Aſtorga* were deputed to conſider of their excuſe, and relate in the Congregation.

The next day the Legates wrote to *Rome*, that it appeared that the amplification of the title, with addition of *Repreſenting the Church Vniuerſall*, was a thing ſo popular and ſo pleaſed all, that it might eaſily be ſpoken of againe: and therefore they deſired to know his Holineſſe pleaſure if they ſhould perſiſt in denying it, or yeelde vnto them, eſpecially vpon occaſion of making ſome Decree of importance, as to condemne hereſies, or the like. They gaue aduiſe alſo, that they had made the propoſition for the next Congregation ſo generall, that they might yeelde to the deſire of the Prelates, which was to enter into the ſubſtantiall points, and yet interpoſe time that they might receiue inſtruction from his Holineſſe. They added that the Cardinall *Pacceo* had aduiſe, that the Emperor had giuen order to many Spaniſh Biſhops, men of exemplary liues, and learning, to goe to the Councel. Therefore they thought it neceſſary, that his Holineſſe ſhould ſend ten or twelue Prelates, whom hee might truſt, men fit to appeare for their other qualities, that the number of the *Oltramontans* increaſing, eſpecially men rare, of exemplaritie and learning, they might in ſome part bee incountred. For amongſt thoſe that vntill then were in *Trent*, thoſe that had good mindes had little learning, and leſſe diſcretion; and thoſe that had vnderſtanding, were diſcouered to haue deſeignes, and hard to be gouerned.

The Legates deſire to make their partie ſtrong.

In the next Congregation, aſſembled the eighteenth, to vnderſtand the mindes of all; concerning the Propoſitions made in the laſt, the opinions were foure. The Imperialiſts ſaid, that the points of doctrine could not bee touched, with hope of any fruit, becauſe it was firſt neceſſary to remooue the tranſgreſſions, from whence the hereſies aroſe, by a good reformation, enlarging themſelues very much in this field, and concluding that ſo long as the ſcandall which the world receiueth, by the deformation of the Clergie, ceaſeth not, nothing that they can ſay or preach will euer bee beleeued, all beeing perſwaded that deedes ought to bee regarded, and not words. And that they ought not to take example by the ancient Councels, becauſe in them either there was not corruption of maners, or that was not cauſe of hereſie; and in fine, that to deferre the treatie of reformation, was to ſhew themſelues incorrigible.

The Imperialiſts deſire to beginne with reformation.

Some few others thought fit to beginne with doctrine, and then to paſſe to reformation, alledging that faith is the ground and foundation of Chriſtian life; that no man begins to build from the roofe, but from the foundations; that it is a greater ſinne to erre in faith then in other humane actions; and that the point of rooting out hereſies was put firſt in the Popes Buls. A third opinion was, that the points of reformation and faith might ill bee ſeparated, becauſe there was no doctrine without abuſe, nor abuſe which drawed not after it the bad interpretation and bad ſenſe of ſome doctrine.

There-

Therefore it was neceſſary to handle them at the ſame time, for that the world hauing their eyes fixed vpon this Councel, and expecting a remedie as well in matters of faith as maners, it would bee ſatisfied better by handling them both together, then one after another: eſpecially if according to the propoſition of the Cardinall of *Monte*, diuers deputations were made, and one handled this matter, and the other that; which ſhould be done quickely, conſidering that the time preſent, when Chriſtendome had peace, was precious, and not to be loſt, not knowing what impediments the time to come might bring. And the rather, becauſe they ſhould ſtudy to make the Councel as ſhort as they could, that the Churches the leſſe while might remaine depriued of their Paſtours, and for many other reſpects, intimating that which might ariſe in length of time, to the diſtaſt of the Pope and Court of *Rome*. 1546 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

Some others, among whom were the French men, demanded, that that of the peace might bee the firſt: that they ſhould write vnto the Emperour, the moſt Chriſtian King, and other Princes, giuing them thankes for the conuocation of the Councel, for continuance whereof that they would eſtabliſh peace, and helpe the worke forward, by ſending their Ambaſſadours and Prelates; and likewiſe ſhould write friendly to the Lutheranes, inuiting them charitablie to come to the Councel, and ioyne themſelues with the reſt of Chriſtendome. The Legates, vnderſtanding the opinions of them all, and commending their wiſdome, ſaide, that becauſe it was late, and the conſultation of weight, & the opinions various, they would thinke of what euery one had ſaide, and, in the firſt Congregation, propoſe the points to bee determined.

Order was taken that there ſhould bee two Congregations euery weeke, on Munday and Friday, without warning: and in the end the Archbiſhop of *Aix*, hauing receiued letters from the moſt Chriſtian King, ſaluted the Synode in his name, and promiſed that his Maieſty would ſuddenly ſend an Ambaſſadour, and many Prelates of his Kingdome; and ſo the Congregation ended. Two Congregations euery weeke, without intimation.

The Legates ſent aduiſe of all to *Rome*, and wrote that they had drawen in length the reſolution of the things that were handled, vnder the pretences before related, but in truth to gaine more time, that they might receiue inſtructions and orders how to gouerne themſelues; beſeeching his Holineſſe againe to make his will knowne, and to conſider aboue all, that to prolong the Councel, and hold it open, when hee might make it ſhort, was not good for the Apoſtolique Sea: adding that they were conſtrayned to hold two Congregations euery weeke, to keepe the Prelats in exerciſe, and to take occaſion from them to make them by themſelues. But they ſaid that this would draw on the buſineſſe very faſt, and therefore that it was neceſſary to take ſome courſe to reſolue their propoſes quickely, and not deferre to anſwere them, as hitherto hath bene done, but to aduiſe them what they ought to do preſently, and to foreſee, as much as might be, what could happen. And ſeeing they had written often times, that many poore Biſhoppes came to the Councel, for the hope and good promiſes which his Holineſſe and Cardinal *Farneſe* had giuen them, they then repeated it, adding, it was an error to think

to vſe

1546
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

to vſe them as homely in *Trent* as in *Rome*, where, hauing no authority, they are humble and in ſubiection; but when they are in the Councel, they thinke they ſhould be eſteemed and maintained, which if it bee not done, it were better not to haue them in that place, then to haue them there ill ſatisfied, and diſtaſted; concluding that that enterpriſe could not ſucceed well, without diligence and coſt.

It may generally ſeeme ſtrange, that the Pope, a wiſe man, and skilfull in the affaires of the world, ſhould not giue anſwere vnto two particulars, of ſuch importance and neceſsity, in ſo long a time, after ſo many inſtances of his miniſters. But his Holineſſe grounded not his hopes vpon the Councell; all his cogitations were turned toward the warre, which the Cardinall *Farneſe* treated with the Emperour the yeere before, and could not forbeare to make demonſtration thereof: neither did the Emperour deſire the Councell ſhould proceed, it being ſufficient for his ends that it was opened onely.

The Pope is more intent vpon the war againſt the Proteſtants, then vpon the Councell.

But the Prelats, who deſired to begin with reformation, and leaue the doctrine behind, aſsiſted by the Emperours Miniſters, aſſayed to draw the others to them: which thing being very eaſie, becauſe the reformation was generally deſired, and not much beleeued, their number grew ſo great, that the Legats were confounded. Therefore by themſelues and their friends they often dealt priuatly with diuers, and laſtly, in the congregation of the 22. day, all three one after another ſet themſelues to ruine the foundations, which were laid in fauour of the reformation. One reaſon, drawen from the Emperours propoſition in the Diet of *Wormes* the laſt May, made a great impreſion, when hee ſaid they ought to expect what the Councell would doe in the definitions of doctrine, and in the reformation; and, that if nothing were done, he would intimate another Diet, to accommodate the differences of Religion, and correct the abuſes: arguing from hence, that if they handled not the points of doctrine, the determinations of the future Colloquie and Diet would bee canonized; neither could they with reaſon hinder them to treat of religion in *Germanie*, which themſelues refuſed to do in the Councell.

A controuerſie how to begin, whether with reformation or doctrine, or with both together.

There was a great rich Prelat in the congregation, who, with a premeditated ſpeech, went about to ſhew, that they ought onely to ayme at the reformation, aggrauating much the common deformation of the whole Clergie, and inculcating, that ſo long as our veſſels were not cleanſed, the holy Ghoſt would not dwell in them, and, by conſequence, that no right iudgement could be expected in matters of faith.

But the Cardinall *Santa Croce*, taking from hence occaſion to ſpeak, ſaid, that there was no reaſon to deferre the reformation of themſelues, who were to manage the Councell; but that was eaſie and readie, and might ſuddenly be executed, without delaying the points of doctrine, which were intricate of themſelues, and of long digeſtion. He much commended that Prelat for making mention of a thing ſo holy, and of ſo good example: for beginning from themſelues, they might eaſily reforme all the reſt of the world; and he earneſtly exhorted all to come to the practiſe thereof. This opinion was much commended by all, but not followed; for many ſaid, the reformation ought to be generall, without looſing time in that particular. Therefore they

they all concluded, except two, that the Articles of Religion and reformation should be handled together, as they are alike desired, and deemed necessarie by the whole world, and ioyntly proposed in the Popes Bulls. The Legats were content with this resolution, though they rather desired to treate of faith, and leaue the reformation. But so great was their feare that they should be constrained to handle reformation alone, that they thought it a great victorie to ioyne them together. And they thought also that their opinion to leaue the reformation was dangerous, because they should resist all the Prelates and States of Christendome, who desired it; which they could not doe without much scandall, and infamie. If this course which they tooke, being constrained thereunto by meere necessitie, should not please those at *Rome*, they could not complaine of any but themselues, who were so often solicited to answere the letters, and send necessary instructions.

1546
PAVL. 3.
CHARLES 5
HENRY 8.
FRANCIS 1.

A resolution made to handle doctrine and reformation together.

Afterwards it was resolued to write to the Pope to thanke him for calling and opening the Councell, and to desire him to maintaine and fauour it, and to bee a meanes vnto Christian Princes to continue peace among themselues, and excite them to send Ambassadors to the Councell. They resolued also to write to the Emperour, the French King, Kings of the Romans, of *Portugal*, and other Catholike Princes, to preserue peace, to send Ambassadours, secure the wayes, to mooue their Prelates to appeare personally in the Councell. The care of writing these letters was committed to the Bishop of Saint *Marke*, and were to bee read and sealed in the next congregation.

The Legates published two points to bee considered of by the Fathers, whereof they were to giue their voices. The first, whether in the next session the heads of faith, and those of reformation which were correspondent, should bee handled together. The second how to proceed in making choice of the two heads, and in handling and examining them. The Legats thought they had by these propositions disburthened themselues of the importunate queſt made by some, to establish some substantiall point in euery congregation, and withall to haue shewed that they helde the Prelates in esteeme.

The next congregation was spent in reading many letters, and disputing what Seale to vse. Some proposed they should bee sealed in leade, with a Bull proper to the Synode, in which some would haue on the one side the image of the holy ghost in the forme of a Doue, and the name of the Synod on the other, and some desired other formes, all which were glorious. But the Legats, who had another order from *Rome*, suffering the fathers to dispute heereon, diuerted the proposition by saying it sauored of pride, and protracted the time, because they must send to *Venice* to make the forme of it, in regard no Artisan in *Trent* was able to doe it; adding that it might bee better thought of afterwards, and that it was necessarie to dispatch the letters now, which might bee done by the name and seale of the Prime Legat. That which remained was put off vntill the next Congregation.

A Congregation.

In the which, the two points before proposed were discussed, and con-

A Congregation.

1546 Pavl 3. Charles 5. Henry 8. Francis 1.

cerning the first, there were two opinions. One that the Decree should bee framed and published: the other that it was not good to tie themselues with a Decree, but to keepe their libertie, and resolue as occasion should serue. They tooke a middle course; to make mention onely that the Synode was principally assembled for these two causes, without going any further. But for the second point the maior part were of opinion, that they being assembled to condemne the Lutheran heresie, they should follow the order of their confession; which others contradicted, because it was an imitation of the Colloquies in *Germanie*, which would debase the dignitie of the Councel. And the two first heads of the Augustan confession being of the Trinitie, and incarnation, in which there was no substantiall difference, though they were expressed after a new maner, and vnusual in the Schooles, if they should be approoued, reputation would bee giuen them, and they could not so well condemne the rest; and in case they would neither approoue nor condemne them, and speake of them not with the termes of that confession, but of the Schooles or others, there was danger to raise new disputes and new schismes. The Legates, who aimed at nothing but to driue out the time, were glad to heare the difficulties, and did carefully cherish them, sometimes incouraging one, and sometimes another.

The Legates were perplexed for want of instruction.

The time prefixed for the session approaching, the Legats, hauing receiued no instruction from *Rome*, were much perplexed. For to passe that session, as the former, in ceremonies only, was to loose all reputation; and to handle any matter was dangerous, because they had not their marke prefixed whereat to aime. That which seemed to haue least perill, was to frame a decree vpon the resolution taken in the congregation, to handle the points of faith and reformation together: whereunto opposition was made, that it was to bind themselues, and to determine that in the congregation, which was vndecided by the Pope. In this ambiguitie it was proposed that they should make a delatory decree, vnder pretence that many Prelats were in their iourny, and would shortly come thither. Cardinal *Poole* told them, that in regard a confession of faith hath been made in all the ancient Councels, the same should be done in that session, publishing that of the Church of *Rome*. At the last it was resolued to make the Decree with a simple title, and to make mention therein that they ought to treat of religion, and reformation, but in such generall termes, that the Creed might be recited, and passed ouer, making another Decree to deferre the material points vntil another session, alleadging for a reason that some Prelates were ready to set forward, and some in their iourney alreadie; and to prolong the terme of the next session as long as they could, for feare of being brought into the like straits: yet so as not to put it off vntill after Easter.

When this was framed, they imparted it to the Prelates they trusted most, amongst whom the Bishop of *Bitonto* put to their consideration, that to make a session to establish a Creed, made 1200. yeeres before, and continually beleeued, and now absolutely accepted by all, might be laughed at by those that were enuious, & ill expounded by others. That they cannot say they follow the Fathers example in this: because they haue either made a confession against the heresies they did condemne, or repeated the former

made

made against the hereſies already condemned, to giue them greater authoritie, adding ſome thing for declaration, or to reduce it into memorie, or to ſecure it againſt obliuion. But now neither a new confeſſion was compoſed, nor a declaration adioyned. To giue them more authoritie belonged not to them, nor to that age. To recall it into memorie, in regard it was repeated euery weeke id all Churches, and was in the freſh memory of euery one, was a thing ſuperfluous, and affected. That the heretikes ought to bee conuinced by the confeſſion, was true of thoſe who erred againſt it: but it was not ſo of the Lutherans, who beleeued it as the Catholikes. If when this preparation ſhall bee made, the confeſſion bee neuer vſed to this purpoſe, it will bee thought to bee done to no other end then to entertaine the time, and to ſprinkle Court-holy-water, not daring to touch the poynts of doctrine, nor being willing to meddle with the reformation. He thought it better to interpoſe delay, in regard of the expectation of the Prelates, and ſo to end the Seſsion.

1546
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

The Biſhop of *Chioza* added, that the reaſons alleadged might ſerue the heretikes turnes, by ſaying, that if the confeſſion can ſerue to conuert infidels, ouercome the heretikes, and confirme the faithfull, they could not enforce them to beleeue any thing beſides. The Legat iudged not theſe reaſons to be ſo ſtrong as the contrary, that not to make a Decree was loſſe of reputation. Therefore they reſolued on that ſide, and fitted ſome words better, according to the aduertiſements of the Prelates, and propoſed the Decree in the Congregation of the firſt of February. Of this many things were ſayd; and though it was approued by the maior part, yet in the end of the congregation it gaue diſtaſte, and ſome of the Prelates ſaid, reaſoning among themſelues, it will be ſaid, that by a worke of twenty yeeres time, it hath beene concluded, that wee ſhould be brought to heare the Creed repeated.

The fourth day, deſtinated for the Seſsion, they went to Church with the ſame ceremonies and company; in which *Peter Tragliauia*, Archboſhop of *Palermo*, ſang Maſſe, *Ambroſe Catarin* of *Siena*, a Dominican Friar, Archbiſhop of *Torre*, read the Decree: the ſubſtance whereof was, that the Synod, conſidering the importance of the two points to be treated of, that is, the extirpation of hereſies, and reformation of manners, exhorteth all to truſt in God, and arme themſelues with ſpirituall weapons, and that their diligence may haue both beginning and progreſſe from the grace of God, it determineth to begin from the confeſſion of faith, imitating the examples of the Fathers, who in the principall Councels, in the beginning of the actions, haue oppoſed that buckler againſt the hereſies, and ſometimes haue conuerted the infidels, & ouercome the heretikes with that alone; in which all that profeſſe Chriſtianitie doe agree. And here the whole was repeated word by word, without adding any other concluſion. And the Archbiſhop asked the Fathers, whether the Decree pleaſed them. All anſwered affirmatiuely, but ſome with conditions and additions of no great moment, yet ſuch as diſpleaſed the Cardinall of *Monte*; who liked not they ſhould deſcend to particulars in the Seſsions, fearing that when ſome matter of weight was to bee treated of, ſome inconuenience might ariſe. Afterwards the other Decree was read, intimating the Seſsion for the eighth of Aprill; alleadging for a

The Seſsion.

The Decree is read.

The eighth of Aprill is appointed for the next Seſsion.

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

cauſe of the delay, that many Prelates were in a readineſſe to come, and ſome were in the iourney, and for that the deliberations of the Synod will bee more eſteemed when they ſhall be ſtrengthened by the counſell and preſence of more Fathers; yet ſo as that they would not deferre the diſcuſſion and examination of what ſeemed fit to be handled preſently.

The Court of *Rome*, who ſtood all amazed at the very name of reformation, was well pleaſed to heare that the Councell entertained it ſelfe in preambles, hoping that time would bring foorth ſome remedie. And the Courtiers that had intemperate tongues, exerciſed their gibing, publiſhing diuers bitter Paſquins, as then the cuſtome was in all accidents, ſome commending the Prelates aſſembled in *Trent*, for making a moſt noble decree, worthy of a generall Councel, and ſome exhorting them to vnderſtand their owne worth and knowledge.

Paſquins made againſt the Seſſion.

The Legates giue the Pope an account of the Seſſion held, ſent alſo aduiſe, that it would be hard to oppoſe, and ouercome thoſe who deſired to finiſh the title, with the repreſentation of the Church vniuerſall; yet they would endeauour to remooue the difficulties. But that it was impoſſible to entertaine the Prelates any more without comming to, and doing ſome eſſentiall matter; and therefore that they expected the order and inſtruction which they ſo often had demanded. That for their parts they thought it fit to handle thoſe points of the holy Scripture, which were in controuerſie betweene them and the Lutherans, and the abuſe brought into the Church in that matter; which things would much ſatisfie the world, and offend no man: and they would expect an anſwere for this, there beeing ſpace enough to examine thoſe matters, and many occaſions to driue out the time vntill the beginning of Lent.

The Legates giue the Pope an account of the Seſſion.

The affaires of *Germanie* continue the ſame. And the *Palatine* embraceth the reformed religion.

But though the Councell was then opened, and ſtill celebrated, the affaires of *Germanie* continued the ſame. In the beginning of the yeere the Elector *Palatine* brought in the vſe of the Chalice, the popular tongue in publique prayers, the marriage of Prieſts, and other things which were reformed before in other places. And thoſe that were appointed by the Emperour to bee preſent in the meeting, to finde out a way to compoſe the differences of Religion, met together at a Colloquie in *Ratisbon*. The Emperor deputed for Preſidents the Biſhop of *Eiestat*, and the *Conte* of *Furſtemberg*: but no good fruit grew thereof, by reaſon of the ſuſpicions which one part conceiued againſt the other, and becauſe the Catholikes omitted no occaſions to giue greater iealouſies to the other ſide, and to faine them of their owne, which finally made the Colloquie to diſſolue.

Martin Luther dieth.

The Romaniſts reioyce at his death, and at the diſſolution of the Colloquie without fruit.

The fifteenth of February *Martin Luther* died alſo. Theſe newes being ſent to *Trent* and *Rome*, there was not ſo much griefe for the change of Religion in the *Palatinate*, as ioy that the Colloquie ſucceded not well, but tended to diſſolution, and that *Luther* was dead. The Colloquie ſeemed another Councell, and gaue great iealouſie; becauſe, if any thing had been accorded, they ſaw not how the Councell could after reiect it, and, if it had been accepted, it would ſeeme that the Councell receiued lawes from another place. And by all meanes the Colloquie being on foote, and the Emperours miniſters there preſent, it brought ſmall reputation to the Councell

and

and the Pope. The Fathers in *Trent*, and the Court in *Rome* conceiued great hope, seeing that so potent an instrument, to contradict the doctrine and rites of the Church of *Rome*, was dead, who was the principall, and almost the totall cause of the diuisions and innouations introduced, and held it for a presage of the good successe of the Councel; and the rather because that death was diuulged throughout *Italy*, with many prodigious and fabulous circumstances, which were ascribed to miracle, and the vengeance of God, though there were but the vsuall accidents, which doe ordinarily happen in the deaths of men of sixtie three yeeres of age: for in that age *Martin Luther* died. But those things that happened afterwards euen vntill our age, haue declared that *Martin* was onely one of the meanes, and that the causes were more potent and secret.

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

Fables rayſed vpon *Luthers* death.

The Emperour beeing arriued in *Ratisbon*, complayned grieuously that the Colloquie was dissolued, and wrote letters thereof throughout all *Germany*; which were laughed at, because it was too much knowne that the seperation was wrought by the Spaniards and Friars, and by the Bishop of *Eichstat*, whom hee had sent. And when the workemen are knowne, it is not hard to iudge whence the beginning of the motion doth proceed. But the wise Emperour was willing to vse the same thing to satisfie the Pope and the Councel, and to finde an occasion against the Protestants; which the euent shewed to bee true. For the same complaints beeing renewed in the Diet, and meanes of agreement beeing sought by those that were assembled, the Ministers of *Mentz* and *Triers* separating themselues from the other Electors, and adhering to the other Bishops, approoued the Councel, and desired the Emperour to protect it, and to cause the Protestants to be there, and submit themselues to it. But they did resist and remonstrate that that Councel had not those quallities and conditions so often promised, and desired that the peace might bee kept, and the differences in religion accorded in a lawfull Councel in *Germanie*, or in an Imperiall Diet. But in the end the maskes were remooued, and the prouisions for war could no longer be hid; whereof mention shall bee made in its proper place. The Pope considered very much of the letter written from *Trent*, weighing the inconueniences that would follow, if he kept the Councel at anchor, with the ill satisfaction of the Bishops that were there, and the mischiefe that might arise if the reformation should begin. In fine, perceauing that it was necessary to put something to the hazard, and that it was wisdome to auoid the greater euill, he resolued to write backe to *Trent*, to begin the action as they had aduised, admonishing them not to broach any new difficulties in matter of faith, nor to determine any of the things controuersed amongst the Catholiques, and to proceed slowly in the reformation. The Legates, who vntill then had in the Congregations entertained themselues in generall matters, hauing receaued power to goe on, proposed in the Congregation of the 22. of February, that the first foundation of faith beeing established, they ought in the next place to handle another more ample, which is the holy Scripture, wherein are points belonging to the doctrines controuerted with the Lutheranes, and others, for reformation of those abuses which are most principall, and necessary to be amended; and so many, that perhaps the time vntill the next

The Emperors letters concerning the Colloquy were laughed at.

The prouisions for warre were knowne.

1546 Pavl 3. Charles 5. Henry 8. Francis 1.

Session will not bee sufficient to finde a remedy for all. They discoursed of the controuersies with the Lutherans in this subiect, and of the abuses, and much was spoken hereof by diuers Prelates.

The Diuines begin to be esteemed.

The Diuines, who were thirtie in number, and almost all Friars, had vntill then serued in the Councel onely to make Sermons on Holy-dayes, in exaltation of the Councel and the Pope, and to make light skirmishes with the Lutheranes; but now that controuerted doctrines were to be decided, and the abuses of learned men rather then of others to bee reformed, their worth beganne to appeare. And order was taken that in the points of doctrine to be decided, articles should be extracted out of the bookes of the Lutheranes contrary to the orthodox faith, to bee studied and censured by the Diuines, that euery one speaking his opinion of them, the matter might bee prepared to frame the Decrees, which being proposed in the Congregation, and examined by the Fathers, when euery mans voice was knowe, that might bee established which was to bee published in the Session. And for the abuses, euery one should call to mind what hee thought worthy of amendment, together with the remedy fit for it.

The articles for matter of doctrine, drawen out of the Lutheranes bookes, were,

1. That the necessarie doctrine of Christian faith, is wholy conteyned in the holy Scripture, & that it is an humane inuention, to adde vnto them vnwritten Traditions, as left vnto the holy Church by Christ and his Apostles, deriued vnto vs by meanes of the continuall succession of Bishops, and that it is sacrilege to defend that they are of equall authority with the old and new Testament.

2. That amongst the bookes of the old Testament, none should bee reckoned but those that haue beene receiued by the Iewes, nor in the New the sixe Epistles, that is, that vnder the name of S. *Paul* to the Hebrews, that of S. *Iames*, the 2. of S. *Peter*, the 2. and 3. of S. *Iohn*, one of S. *Iude*, and the *Apocalyps*.

3. That to vnderstand the Scripture well, or to alledge the proper words, it is necessary to haue recourse to the texts of the originall tongue in which it is written, and to reprooue the Latine translation, as full of errors.

4. That the diuine Scripture is most easie and perspicuous, and that to vnderstand it, neither glosse nor comment is necessary, but only to haue the spirit of a sheepe of Christs pasture.

5. Whether Canons, with Anathematismes adioyned, should be framed against all these Articles.

Vpon the two first, the Diuines discoursed in foure Congregations; and in the first all agreed, that the Christian faith is contayned partly in the Scripture, and partly in Traditions; and much time was spent in alledging for this places of *Tertullian*, who often speakes of them; and many were numbred out of *Irenie*, *Cyprian*, *Basil*, *Austin*, and others; yea some said more, that Tradition was the onely foundation of the Catholique doctrine. For the Scripture it selfe is not beleeued but by tradition. But there was some difference how this matter might fitly be handled.

Vicenzo Lunello, a Franciscan Friar, was of opinion, that, in regard the holy

holy Scripture and traditions were to be eſtabliſhed for ground of faith, they ought firſt to treat of the Church, which is a more principall foundation. For the Scripture receiueth authoritie from it, according to the famous ſaying of Saint *Auguſtine*: I would not haue beleeued the Goſpell if the authoritie of the Church had not compelled me; and no vſe can be made of traditions, but by grounding them vpon the ſame authoritie. For if a controuerſie ariſe about a tradition, it will bee neceſſary to decide it either by the teſtimony, or by the determination of the Church. But this foundation being laid, that euery Chriſtian is bound to beleeue the Church, one may ſecurely build thereon. He added, that they ſhould take example from all thoſe that haue ſubſtantially written againſt the Lutherans, as Fryar *Siluester*, and *Eccius*, who haue more alleadged the authoritie of the Church, then any other argument; neither is it poſſible to conuince the Lutherans otherwiſe. That it is contrary to the end propoſed, (that is to lay all the foundations of Chriſtian doctrine) to leaue out the principall, and perhaps the onely ground, but certainely that without the which, the reſidue cannot ſubſiſt. This opinion had no followers. Some oppoſed againſt it, that it was ſubiect to the ſame difficulties which it made to others. For the Synagogues of the heretiques alſo would arrogate to bee the true Church, vnto whom this authoritie was giuen. Others holding it to be a thing moſt knowen and vndoubted, that by the name of the Church the Cleargie ought to bee vnderſtood, and more properly the Councell and the Pope as head, ſaid they ought to maintaine, that the authoritie of the Church is already decided, and that to treat of it now were to ſhew there was difficultie, or at the leaſt, that it was a thing newly cleered, and not moſt ancient, euer beleeued ſince Chriſtianitie began.

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

Diſcourſes about the authoritie of traditions.

But *Anthonius Marinarus*, a Carmelite Fryar, thought fit to refraine ſpeaking of traditions, and ſaid, that for deciſion of the firſt Article in this matter, it was meete firſt to determine whether the queſtion were *facti*, or *iuris*: that is, if the Chriſtian doctrine haue two parts, one which was written by the will of God, and the other which was forbidden to bee writ, but onely taught by word of mouth; or if in the whole body of doctrine it hath accidentally happened, that all hauing beene taught, ſome part hath not beene committed to writing. He added, that it was a cleere caſe that the Maieſtie of God ordaining the law of the Old Teſtament, appointed it ſhould be neceſſary to haue it in writing; and therefore wrote the Decalogue in ſtone with his owne finger, commaunding it ſhould be laid vp in the Cabinet, called the Arke of the Couenant. That he often commaunded *Moyſes* to write the precepts in a booke, and that one copie ſhould bee kept in the Arke, and the King haue another to reade it continually.

This fell not out in the Goſpell, which the Sonne of God wrote in the hearts, for which neither tables, nor cheſt, nor booke is neceſſary: yea, the Church was moſt perfect before any of the Apoſtles wrote, and though they had writ nothing, the Church would haue wanted nothing of its perfection. But as Chriſt founded the doctrine of the New Teſtament in the hearts, ſo he forbad it not to be written, as in ſome falſe Religions, where the myſteries were kept ſecret, nor was lawfull to write them, but onely to teach them

1546 PAVL 3. CHARLES 5. HENRIE 8. FRANCIS 1.

them by word of mouth. And therefore that it is an vndoubted truth, that whatſoeuer the Apoſtles haue written, and whatſoeuer they haue taught by word of mouth, is of equall authoritie, becauſe they wrote and ſpake by the the inſtinct of the holy Ghoſt, which notwithſtanding, as, by aſſiſting them, it hath directed them to write and preach the truth, ſo it cannot be ſaid it hath forbid them to write any thing, to the end to hold it in myſterie; wherefore the Articles of faith cannot bee diſtinguiſhed into two kinds, ſome publiſhed by writing, others commaunded to bee communicated onely by voyce. He ſaid, that whoſoeuer thought otherwiſe, muſt fight againſt two great difficulties; the one, to tell wherein the difference is, the other, how the Apoſtles ſucceſſors haue beene able to write that which was forbidden by God: adding, that it was as hard to maintaine the third, that is, how it hath accidentally happened, that ſome particulars haue not beene written, becauſe it would derogate from the prouidence of God in directing the holy Apoſtles to compoſe the Scriptures of the New Teſtament. Therefore he concluded, that to enter into this treatie, was to ſaile betweene *Scilla* and *Caribdis*, and that it was better to intimate the fathers, who ſerued themſelues of this place, onely in caſe of neceſſitie, neuer thinking to make of it an Article of competition againſt the holy Scripture. He added, that it was not neceſſary to proceede now to any new determination, becauſe the Lutherans, though they ſaid they would be conuinced by the Scripture onely, haue not made a controuerſie in this article, and that it is good to keep themſelues onely to the controuerſies which they haue promoted, without ſetting new on foote, expoſing themſelues to the danger of making a great diuiſion in Chriſtendome.

The Fathers neuer made traditions of equall authoritie with the Scripture.

The opinion of *Marinarus* was very diſtaſteful.

The Fryars opinion pleaſed but few; yea, Cardinall *Poole* reprehended it, and ſaid, it better beſeemed a Colloquie in *Germanie*, then a Councell of the vniuerſall Church: that in this they ſhould ayme at the ſincere veritie it ſelfe, not as there, where nothing is handled but the according of the parties, though to the preiudice of the truth; that to preſerue the Church, it was neceſſarie that the Lutherans ſhould receiue all the *Roman* doctrine, or that as many of their errors as was poſſible might be diſcouered, the more to make manifeſt to the world, that there was no agreement to be made with them. Therefore if they haue framed no controuerſie concerning traditions, it was neceſſary to frame it now, and to condemne their opinions, and to ſhew, that that doctrine not onely differeth from the true, in that where in it doth purpoſely contradict it, but in all other parts: that they ſhould endeuour to condemne as many abſurdities as can be drawen out of their writings, and that the feare was vaine to daſh againſt *Scilla* or *Caribdis* for that captious reaſon, whereunto whoſoeuer gaue eare, would conclude there was no tradition at all.

Concerning the canonical bookes of the Scripture.

In the ſecond Article they all agreed in this, that a Catalogue ſhould bee made, (as it was in former times) of the Canonicall bookes, in which all ſhould be regiſtred which are read in the *Roman* Church, euen thoſe of the Old Teſtament, which were neuer receiued by the *Hebrewes*. And for proofe of this, they all alledged the Councell of *Laodicea*, Pope *Innocence* the firſt, the third Councell of *Carthage*, and Pope *Gelaſius*. But there were foure opi-

nions:

nions. Some would haue two rankes made; in the first onely those should be put, which without contradiction haue beene receiued by all: in the other those, which sometime haue beene reiected, or haue had doubt made of them; and it was said, though formerly this was neuer done by any Councell or Pope, yet alwaies it was so vnderstood. For *Austin* maketh such a distinction, and his authoritie hath beene canonized in the Chapter *In Canonicis*. And Saint *Gregorie*, who was after *Gelasius*, writing vpon *Iob*, sayeth of the *Maccabees*, that they are written for edification, though they bee not Canonicall.

1545
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

Aloisius of *Catanea*, a Domican Fryar, said that this distinction was made by Saint *Hierom*, who was receiued by the Church, as a rule and direction, to appoint the Canon of the Scriptures; and he alleadged Cardinal *Caietan* who had distinguished them, following Saint *Hierom*, as an infallible rule, giuen vs by the Church; and so he wrote to Pope *Clement* the seuenth, when hee sent him his exposition vpon the Historicall bookes of the Old Testament. Some thought fit to establish three rankes. The first of those which alwaies haue beene held for Diuine; the second, of those whereof sometimes doubt hath beene made, but by vse haue obtained Canonicall authoritie; in which number are the sixe Apostles, and the Apocalyps of the New Testament, and some small parts of the Euangelists. The third, of those whereof there hath neuer beene any assurance; as are the seauen of the Old Testament, and some Chapters of *Daniel* and *Hester*. Some thought it better to make no distinction at all, but to imitate the Counsell of *Carthage* and others, making the Catalogue, and saying no more. Another opinion was that all of them should bee declared to bee in all partes, as they are in the Latin Bible, of diuine and equall authoritie. The Booke of *Baruc* troubled them most, which is not put in the number, neither by the Laodiceans, nor by those of *Carthage*, nor by the Pope, and therefore should be left out, as well for this reason, as because the beginning of it cannot bee found. But because it was read in the Church, the Congregation (esteeming this a potent reason) resolued, that it was by the Ancients accounted a part of *Ieremie*, and compriſed with him.

The Bishop of *Bitonto*, assisting in Councell, is in danger of excommunication in *Rome* for not paying his Pensionaries.

In the Congregation on Friday the fifth of March, aduise being come that the Pensionaries of the Bishop of *Bitonto* had demanded in *Rome* to bee paide, and for this cause had cited him before the Auditor, requiring hee should bee compelled by excommunications and other censures, according to the stile of the Court, to make payment; hee lamented his case, and said that his Pensionars were in the right, and yet himselfe was not in the wrong. For so long as hee was in the Councell hee could not spend lesse then sixe hundred crownes by the yeere, and that his pensions being detracted, hee had left but foure hundred: wherefore it was necessarie that he should bee disburthened or assisted with the other two hundred. The poore Prelates laboured heerein, as in a common cause, and some of them passed to high wordes, and saide it was an infamie to the Councell that an officer of the Court of *Rome* should bee suffered to vse censures against a Bishop assisting in the Councell; that it was a thing monstrous, and would make the world say that the Councel was not free; that the honour of that

assembly

1546
Pavl 3.
Charles 5.
Henrie 8.
Francis 1.

assembly required that the Anditor should be cited to *Trent*, or some reuenge taken against him, that the dignity of the Synod might be preserued. Some also proceeded so farre as to condemne the imposition of pensions, saying, that it was iust and anciently obserued, that the rich Churches should assist the poore, not by constraint, but by charitie, without taking things necessary from themselues, and that *S. Paul* taught so. But that poore Prelates should be constrained to giue to the rich, some of that which is necessary for their owne sustenance, was a thing intolerable; and that this was one of the points of reformation to be handled in the Councel, reducing it to the ancient, and truely Christian vse. But the Legats, cõsidering how iust the cõplaints were, & whither they might tend, appeased all, and promised they would write to *Rome*, & cause the iudicial processe to surcease, & to endeuor that the Bishop should in some sort be prouided for, that he might maintain himselfe in the Councel.

A Decree made on the day of *Carnoual*, that Traditions are of equall authoritie with the Scriptures.

All the Diuines hauing made an end of speaking the eighth day, a Congregation was intimated for the next, though it was no ordinary day, not so much to establish quickly a Decree vpon the disputed Articles, as for a grace of the Councell, that in that day, dedicated to a profane feast of the *Carnoual*, the Fathers should busie themselues in the affaires of the Councell. And then it was approued by all, that the Traditions should bee receiued as of equall authoritie with the Scriptures. But they agreed not in the manner of making the Catalogue of the Diuine bookes; and there were three opinions: One, not to descend to particular bookes; another, to distinguish the Catalogue into three parts; a third, to make onely one, and to make all the bookes of equall authoritie. And not beeing all well resolued, three draughts were made, and order giuen that they should exactly consider which of them should be receiued in the next Congregation; which was not held the twelfth day, by reason of the arriuall of *Don Francis* of *Toledo*, sent Ambassadour by the Emperour, to assist in the Councell, as Colleague to *Don Diego*: who was met on the way by the maior part of the Bishops, and families of the Cardinals.

Don Fran is of Toledo arriueth in *Trent*, Ambassadour to the Emperour.

At this time *Vergerius*, who often hath beene named before, came to *Trent*, not so much with desire to assist in the Councell, as to flie the rage of his people raised against him, as cause of the barrennesse of the land, by the Inquisitor, Friar *Hannibal*, a *Grison*. For he knew not where to remaine with more dignitie, nor to haue greater commoditie to iustifie himselfe against the imputations of the Friar, who published him for a Lutheran, not onely in *Istria*, but before the *Nuncio* of *Venice*, and the Pope. Whereof the Legates of the Councell beeing aduertised, suffered him not to bee present at the publique Actes, as a Prelate, if first hee were not iustified before the Pope, to whom they effectually exhorted him to goe; and if they had not feared to raise talke against the libertie of the Councell, they would haue goue beyond exhortatiõ. This Bishop, seeing he was more disgraced in *Trent*, departed a little after, with purpose to returne to his Bishopricke, hoping the popular sedition was appeased. But when hee came to *Venice*, hee was forbidden to goe to the *Nuncio*, who had order from *Rome* to make his processe; for disdaine whereof, or for feare, or for some other cause, hee quitted *Italie* within a few moneths after.

Vergerius flieth to the Councell for refuge, but findeth none.

Vergerius forsaketh *Italie*.

The

The fifteenth day, the three draughts beeing propoſed, though euery one was maintayned by ſome, yet the third was approoued by the maior part. In the Congregations after, the Diuines diſcourſed vpon the other articles, and in the third there was much difference about the Latine tranſlation of the Scripture, betweene ſome few who had good knowledge of the Latine, and ſome taſt of the Greeke, and others who were ignorant in the Tongues. Friar *Aloiſius* of *Catanea*, ſaid that, for reſolution of this article, nothing could be brought more to the purpoſe, or more fit for the preſent times and occaſions, then the iudgement of Cardinall *Caietan*, a man very well read in Diuinitie, hauing ſtudied it euen from a childe; who for the happineſſe of his wit, and for his laborious diligence, became the prime Diuine of that and many more ages, vnto whom there was no Prelate or perſon in the Councel who would not yeelde in learning, or thought himſelfe too good to learne of him. This Cardinall, going Legate in to *Germany*, in the yeere 1523. ſtudying exactlie how thoſe that erred might be reduced to the Church, and the Arch-heretiques conuinced, found out the true remedie, which was the litterall meaning of the text of the Scripture in the originall tongue in which it is written, and all the reſidue of his life, which was 11. yeeres, hee gaue himſelfe onely to the ſtudy of the Scripture, expounding not the Latine tranſlation, but the Hebrew rootes of the old, and the Greeke of the new Teſtament. In which tongues, hauing no knowledge himſelfe, he imployed men of vnderſtanding, who made conſtruction of the text vnto him word by word, as his workes vpon the holy bookes doe ſhew. That good Cardinall was wont to ſay, that to vnderſtand the Latine text, was not to vnderſtand the infallible word of God, but the word of the tranſlator, ſubiect and obnoxious vnto errors. That *Hierome* ſpake well, that to propheſie and write holy bookes proceeded from the holy Ghoſt, but to tranſlate them into another tongue, was a worke of humane skill. And he complayned and ſaid; would to God the Doctors of the former age had done ſo, and then the Lutherane hereſie would neuer haue found place. Hee added that no tranſlation could be approued without reiecting the Canon, *Vt veterum, d.* 9. which commandeth to haue the Hebrew text to examine the reality of the bookes of the old Teſtament, and the Greeke for a direction in thoſe of the new. To approoue a tranſlation as authenticall, was to condemne S. *Hierome*, and all thoſe who haue tranſlated. If any be authenticall, to what end ſerue the reſt which are not? it would bee a great vanity to produce vncertaine copies, when there are ſome infallible. That they ſhould bee of the opinion of S. *Hierome* and *Caietan*, that euery interpreter may erre, though he haue vſed all arte not to vary from the originall. But ſure it is, that if the holy Councel ſhould examine, or correct an interpretation according to the true text, the holy Ghoſt, which aſſiſteth Synods in matters of faith, would keepe them from erring; and ſuch a tranſlation, ſo examined and approoued, might be called authenticall. But that any could bee approoued without ſuch an examinatiõ, with aſſurance of the aſſiſtance of the holy Ghoſt, he durſt not ſay, except the Synode did determine it, ſeeing that in the Councel of the holy Apoſtles a great inquiſition was made before. But this beeing a worke of ten yeeres, and impoſſible to be vndertaken, it ſeemed better to leaue things

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

Diſcourſes about the Latin tranſlation

as they

1546 as they had remained 1500. yeeres, that the Latine translations should be verified by the originall Texts.

PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

On the contrary, the maior part of the Diuines said, that it was necessary to account that translation, which formerly hath beene read in the Churches, and vsed in the schooles, to be diuine and authenticall; otherwise they should yeeld the cause to the Lutherans, and open a gate to innumerable heresies hereafter, and continually trouble the peace of Christendom. That the doctrine of the Church of *Rome*, mother and mistresse of all the rest, is, in a great part, founded by the Popes, and by schoole Diuines, vpon some passage of the Scripture, which if euery one had libertie to examine whether it were well translated, running to other translations, or seeking how it was in the Greek or Hebrew, these new Grammarians would confound all, and would be made Iudges and arbiters of faith: and in stead of Diuines and Canonists, Pedanties should be preferred to be Bishops and Cardinals. The Inquisitors will not be able to proceede against the Lutherans, in case they know not Hebrew and Greeke, because they will suddenly answere, the text is not so, and that the translation is false: and euery nouity, or toy, that shall come into the head of any Grammarian, either for malice, or want of knowledge in Diuinity, so that he may but finde some grammatical tricke in those tongues to confirme it, will be sufficient to ground himselfe thereon, and he will neuer make an end. That it doth appeare, since *Luther* began to translate the Scripture, how many diuers and contrary translations haue seene the light, which deserue to be buried in perpetuall darknesse, and how often *Martin* himselfe hath changed his owne translation; that neuer any hath beene reprinted without some notable change, not of one or two passages, but of an hundred in a breath: that if this libertie bee giuen to all, Christianitie will soone be brought to that passe that no man will know what to beleeue.

To these reasons, which the maior part applauded, others added also, that if the prouidence of God hath giuen an authenticall Scripture to the Synagogue, and an authenticall New Testament to the *Grecians*, it cannot be said, without derogation, that the Church of *Rome*, more beloued then the rest, hath wanted this great benefit, and therefore that the same holy Ghost, who did dictate the holy bookes, hath dictated also that translation which ought to be accepted by the Church of *Rome*. Some thought it hard to make a Prophet or Apostle onely to translate a booke; therefore they moderated the assertion, and said, that he had not a propheticall or Apostolicall Spirit, but one very neere. And if any should make dainty to giue the spirit of God to the Interpreter, yet he cannot deny it to the Councell; and when the vulgar edition shall bee approued, and an anathema thundered against whosoeuer will not receiue it. this will be without error, not by the spirit of him that wrote it, but of the Synode that hath receiued it for such.

D. Isidorus Clarus, a *Brescian*, and a Benedictine Abbat, a man well seene in this studie, went about to remooue this opinion by an historicall narration; and said in substance, that in the Primitiue Church there were many Greeke translations of the Old Testament, which *Origen* gathered into one volume, confronting them in sixe columnes; the chiefe of these is called of the *Septuagint*; from whence diuers in Latine were taken: and many were

taken

taken from the Greeke text of the new Testament, one of which, most followed and read in the Church, and esteemed the best by Saint *Austin*, is called *Itala*; yet so as that the Greeke text ought vndoubtedly to bee preferred. But Saint *Hierom*, a man (as all doe know) skilfull in the knowledge of tongues, seeing that of the olde Testament to swarue from the Hebrew trueth, by the fault partly of the Greeke interpreter and partly of the Latin, made one immediately out of the Hebrew, and amended that of the new Testament according to the trueth of the Greeke text. *Hieroms* credit made his translation to be receiued by many; but was reiected by some, either because they loued more the errours of antiquitie, then new trueths, or, as himselfe complaineth, by reason of emulation. But a few yeeres after when enuie was laid aside, that of S. *Hierom* was receiued by all the Latins; & so they were both in vse, one being called the olde, and the other the new. Saint *Gregorie*, writing to *Leander* vpon *Iob*, testifieth that the Apostolike See vseth them both, and that himselfe, in the exposition of that booke made choice to follow the new; as conformeable to the Hebrew text: yet in the allegations he would vse sometimes one, sometimes another, as it best befitted his purpose. The times following, by the vse of them both, composed one, taking part of the new, and part of the olde, according as the accidents required; and to this the name of the vulgar Edition was giuen. The Psalmes were all of the olde; because, being daily sung in the Churches, they could not be changed. The lesser Prophets are all of the new, & the greater mixt of both. This is very true that all hath happened by the ordinance of God, without which nothing can succeede. But yet it cannot bee saide that there was in it greater knowledge then humaine. Saint *Hierome* saith plainely that no interpreter hath spokon by the holy Ghost. The Edition which wee haue is his for the most part: it would bee strange to attribute the assistance of God to him that knoweth and affirmeth hee hath it not. Wherefore no translation can bee compared to the text in the originall tongue. Therefore his opinion was that the vulgar edition should be preferred before all, and allowed, yet so as that it should bee corrected by the originall, and all men forbid to make any other: only that should be amended, and the others extinguished: and so all inconueniences caused by new interpretations, which haue iudiciously beene noted, and reprehended in the Congregations, would cease.

1546
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

S. *Ierom* saith that no interpreter hath spoken by the holy Ghost.

Andrew de Vega, a Franciscan Friar, going as a Mediator betweene these two opinions, approoued that of Saint *Hierom*, that the qualities of an interpreter are not any Propheticall, or other speciall diuine spirit, which giueth them infallibilitie, and the opinion of the same Saint, and of Saint *Austin*, to correct the translations by the texts of the originall tongue. But added that it was not contrarie to this to say withall, that the Latin Church holdeth the vulgar edition for authenticall; because it is thus to bee vnderstood, that concerning faith and manners there is no errour in it, though in some small matter, or expression of wordes there may bee a mistaking, it being impossible that all the words of one language should bee transplanted into another, but that there will bee some restriction or inlargement of significations, or metaphore, or other figure. That the vulgar edition hath beene examined heeretofore by the whole Church during the space of 1000.

1546
Pavl 3.
Charles 5.
Henrie 8.
Francis 1.

yeeres, and knowne that there is no errour in it, in matter of faith or manners; and in this account it hath beene held and vsed by the ancient Councels, and so ought still to be held and approoued, and declared as authenticall; that is, that it may be read without danger, not hindering those that are more diligent to haue recourse vnto the Hebrew and Greeke originals, but forbidding so great a number of whole translations, which beget confusion.

Discourses about the exposition of the Scripture.

About the Article of the sense of the holy Scripture, the doctrine of Cardinall *Caietan* gaue occasion to speake diuersly; who taught, and practised the same himselfe, that new conceits, when they agree to the text, and are not aliene from other places of the Scripture, and doctrine of faith, are not to bee reiected, though the streame of the Doctors runne another way, in regarde the Maiestie of God hath not tied the sense of the Scripture to the old Doctors: otherwise there would remaine no more power to those that liue now, nor to posteritie, then to transcribe the same things againe, which some of the Diuines and Fathers approoued, and some opposed.

To the first it seemed a spirituall tyrannie to forbid the faithfull to make vse of their proper ingenie, according to the grace which God hath giuen them: and that this was iust a prohibition to exercise the talent giuen vs by God. That men ought to bee inticed, with all alurements, to the reading of the holy writ, from which when that pleasure, which nouitie bringeth, shall bee remooued, all men will euer abhorre it, and such strictnesse will make men apply themselues to other studies, and abandon this, and by consequence all studie and care of pietie. That this varietie of spirituall gifts belongeth to the perfection of the Church, and is found amongst the Fathers, in whose writings there is great diuersitie, and often times contrarietie, yet ioyned with assured charitie. Why should not that libertie bee graunted to this age which others haue inioyed with spirituall fruit? The Schoole-men though, in the doctrine of Theologie, they haue no disputes about the meaning of the Scripture, yet they haue as many differences in points of religion, and no lesse dangerous. That it is better to imitate antiquitie, which hath not restrained the exposition of the Scripture, but left it free.

Those of the contrarie opinion said, that popular licence being worse then tyrannie, it was then fit to curbe the vnbrideled wittes; otherwise they could not hope to see an end of the present contentions. That anciently it was allowed to write vpon the holy Bookes, because there was neede, in regard there were but few expositions. And the men of those times were of an holy life, and setled minde, from whom no confusions could bee feared, as now. And therefore the Schoole-men, seeing there was no more need of other expositions in the Church, and that the Scripture was not onely sufficently, but aboundantly declared, they tooke another course to treate of holy misteries; and seeing that men were inclined to disputings, they thought good to busie them rather in examining of the reasons & sayings of *Aristotle* to keepe the holy Scripture in reuerence; from which much is derogated, when it is handled after a common fashion, and is the subiect of the Studies and exercises of curious men. And this opinion went on so farre, that *Richard* of *Mans*, a Franciscan Friar, saide that the doctrines of faith were now so cleered;

cleered, that we ought no more to learne them out of Scripture: which, it is true, was read heretofore in the Church for instruction of the people, whereas now it is read in the Church onely to pray, and ought to serue euery one for this end only, and not to studie. And this should be the reuerence and worship due from euery one to the word of God. But, at the least, the studying of it should be prohibited to euery one that is not first confirmed in schoole Diuinitie; neither doe the Lutherans gaine vpon any but those that studie the Scripture. Which opinion wanted not adherents. 1546 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

Betweene these opinions there went two others in the middle: One, that it was not good to restraine the vnderstanding of the Scripture, to the Fathers onely, in regard their expositions are allegoricall for the most part, and seldome literall; and those that follow the letter, fit themselues to their owne time, so that the exposition agreeth not to our age. That Cardinal *Cusanus*, a man excellently learned and honest, said iudicially, that the vnderstanding of the Scripture must be fitted to the time, and expounded according to the current Rites: and that it is not to bee marueiled at, if the Church in one time expoundeth in one fashion, at another in another. And this was the meaning of the *Lateran* Councell, when it decreed that the Scripture should bee expounded according to the Doctors of the Church, or as long vse hath approoued, that new expositions should not bee forbidden, but when they varie from the common sense. The opinion of *Cusanus*, that the exposition of the Scripture must be fitted to the time.

But *Dominicus Soto*, a Dominican Friar, distinguished the matter of faith and manners from the others, saying, it was meete in that onely to keepe euery wit within limits, but in others it was not inconuenient to let euery one, so that pietie and charitie bee preserued, to abound in his owne sence. That the Fathers desired not to bee followed of necessitie, but onely in things necessary to beleeue and to doe. Neither did the Popes, when in their Decretals they expounded some passage of the Scripture in one sense, meane to canonize that, so that it should not bee lawfull to vnderstand it otherwise, though with reason. And S. *Paul* meant so, when he sayd, that prophecying, that is, interpretation of the Scripture, should be vsed according to the analogie of faith, that is, with reference to the Articles thereof. And if this distinction were not made, they must needs fall into notable inconueniences, by reason of the contrarieties which are found in the diuers expositions of the ancient Fathers, which doe oppugne one another.

The difficulties were not so great, but that the vulgar edition was approued, almost by a generall consent, the discourse hauing made deepe impression in their mindes, that Grammarians would take vpon them to teach Bishops and Diuines. Some few thought it fit, in regard of the reasons brought by the Diuines, to leaue the point for that time, but seeing the resolution was otherwise, they desired them to consider, that hauing approued it, they should command it to be printed and corrected, and in that case, that it was necessary to frame a copie by which to make the impression. Whereupon six were deputed by common consent, and commanded to bee diligent in making that correction, that it might bee published before the end of the Councell, referuing power to themselues to augment the number, if among it those that were to come, any were fit for the worke. The vulgar edition is approued.

1546
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

But in giuing voices vpon the fourth Article, after Cardinall *Pacceco* had ſaide, that the Scripture was expounded by ſo many and ſo excellent men in goodneſſe and learning, that there was no hope to adde any good thing more, and that all the new hereſies ſprang from the new expoſitions of the Scripture, and therefore that it was neceſſary to bridle the laucineſſe of moderne wits, and to make them content to be gouerned by the ancients, and by the Church, and that if any had ſome ſingular ſpirit, he ſhould be enforced to conceale it, and not to confound the world by publiſhing it; almoſt all runne into the ſame opinion.

The Congregation of the 29. was all ſpent in the fift Article. For the Diuines hauing ſpoken irreſolutely, and with reference to the Synod, to which it belongeth to make Statutes, the Fathers were doubtfull alſo. To leaue out the Anathema wholly, was to make no decree of faith, and in the very beginning to breake the order ſet downe, to handle the two heads together. To condemne euery one for an heretike who would not accept the vulgar edition in ſome particular place, perhaps of none importance, or ſhould publiſh ſome inuention of his owne vpon the Scripture, through vanitie of minde, ſeemed too rigorous. After long diſcuſſion they found a temper, which was to frame the firſt Decree, and comprehend in it that onely which concerneth the Catalogue of the holy Bookes, and the Traditions, and to conclude that with an anathema. Then in the ſecond, which belongeth to reformation, to comprehend the tranſlation and ſenſe of the Scripture, as if the Decree were a remedie againſt the abuſe of ſo many interpretations, and impertinent expoſitions.

The abuſes are ſpoken of.

It remayned to ſpeake of the other abuſes, of which euery one had collected a great number, and many waies to redreſſe them, as humane weakneſſe and ſuperſtition vſeth holy things, not onely beyond, but alſo contrary to that for which they are appointed. Of inchantments to find treaſures, and to bring laſciuious diſeignes to paſſe, or to obtaine things vnlawfull, much was ſaide, and many remedies propoſed to roote them out. Amongſt inchantments ſome put, carying the Goſpel about one, names of God to prevent infirmities, or to bee healed of them, or to be kept from euils and miſchiefes, or to be proſperous; likewiſe to read them for the ſame ends, and to write them with obſeruation of times. In this catalogue were numbered Maſſes, ſaide in ſome Countries vpon red hot Iron, vpon boyling waters, or vpon cold, or other matters for vulgar purgations; to recite the Goſpel ouer Armes, that they may haue more force againſt the enemies. In this ranke were put the coniurations of dogges to make them not bite, of ſerpents to make them not offend, of harmefull beaſts in the field, of tempeſts, and other cauſes of the barrenneſſe of the land, requiring that all theſe obſeruations might bee condemned, forbid, and puniſhed as abuſes. But in diuers particulars, there were contradictions and diſputes. For ſome defended as things deuoute and religious, or, at the leaſt, permitted, and not damnable, which others did condemne for wicked and ſuperſtitious. The like happened ſpeaking of the Word of God by caſting of lots, or diuinations, or extracting ſchedules with verſes of the Scripture, or obſeruing thoſe they met, when they opened the booke. To vſe ſacred words in ſcandalous libels, and

other

other detractions, was generally condemned, and much was saide of the meanes how to remooue the *Pasquins* of *Rome*; wherein the Cardinall of *Monte* shewed great passion in desiring a remedie, because he was often made a subiect of the saucinesse of the Courtiers tongues, by reason of his naturall liberty and pleasantnesse of wit. All agreed, that the Word of God could neuer bee reuerenced enough, and that to vse it to mens commendations, though Princes and Prelates, is not seemely, and generally that all vaine vse of it is a sinne. But yet the Councel ought not to bube it selfe in this, in regard they were not assembled to prouide against all faults; neither was it to be forbid absolutely, to draw the words of the Scripture to humane matters; because S. *Antoninus*, in his storie, condemned not the Sicilian Ambassadors, who, asking pardon of *Martin* the fourth, deliuered their Ambassage in no other termes, but saying three times, *Agnus Dei qui tollis peccata mundi, miserere nobis.* Nor the Popes answere who likewise saide thrise, *Aue Rex Iudæorum, Et dabant illi alapas*. Therefore that it was the malice of the Lutherans to reprehend the Bishop of *Bitonto*, who in his sermon made in the publike Session, said that to him that refused the Councel, it might bee replied, *Papæ lux venit in mundum, & dilexerunt homines magis tenebras quam lucem.* So many Congregations were spent heerein, and the number so increased, and the weakenesse of the remedies proposed did so much appeare, that the common opinion inclined to make no particular mention of any of them, nor to descend to the proper remedies, or particular punishments, but onely to forbid them vnder generall heads, and leaue the penalties to the discretion of the Bishops. Of the abuses of the Prints there was not much to bespoken, for all agreed that the Printers should bee bridled, and prohibited to Print any sacred thing before it was allowed, but for this the Decree of the last *Lateran* Councel was sufficient. 1546 PAVL. 3. CHARLES 5. HENRY 8. FRANCIS 1.

But about readings and preachings there were terrible controuersies. The Regulars beeing alreadie in possession of them, as well by the Popes priuiledges, as by the practise of 300. yeeres, laboured to preserue them with all their might: and the Prelates alledging that they belonged to them, and were vsurped, pretended restitution. And because the contention was here, not of opinions, but of profit, they vsed on both sides not only reasons, but deeds also. Which differences were set on foote that at the time of the Session nothing might bee decided. Therefore the Legates resolued, to deferre these two points vntill another Session. Two Decrees were framed, as formerly was resolued, and were read in the last Congregation, and approoued; yet with some exceptions in the point of the vulgar Edition. In the ende hereof the Cardinall of *Monte*, after hee had commended the learning and wisdome of them all, admonished them of the seemely behauiour which was fit to vse in the publique Session, shewing one heart, and one minde, in regard the points were sufficiently examined in the Congregations: and the the Congregation beeing ended, the Cardinall *Santa Croce* assembled those that had opposed the vulgar Edition, and shewed they could not complaine, because it was not prohibited but left free to correct it, and to haue recourse to the originall; but that onely it was forbid to say there were in it errors of faith, for which it ought to bereiected. A great contention betweene the Regulars and Prelats, about readings and preachings. No errors of faith in the vulgar Edition.

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The eight of Aprill, appointed for the Seſſion, being come, the Maſſe of the holy Ghoſt was ſaid by *Saluator Alepus*, Archbiſhop of *Torre* in *Sardinia*, and the Sermon was made by Friar *Auſtin* of *Aretium*, Generall of the *Serui*, the Pontificall habiliments put on, the accuſtomed letanies and praiers made, and the Decrees read by the Archbiſhop that ſaid Maſſe. The firſt conteined in ſubſtance; that the Synode, ayming to preſerue the purity of the Goſpel, promiſed by the Prophets, publiſhed by Chriſt, and preached by the Apoſtles, as the fountaine of all truth, and diſcipline of maners (which truth and diſcipline are contained in the bookes, and vnwritten traditions, receiued by the Apoſtles, from the mouth of Chriſt, and dictated to them by the holy Ghoſt, and paſſed from one to another) doth according to the example of the Fathers, receiue with equall reuerence, all the bookes of the old and new Teſtament, and the traditions belonging to faith and manners, as proceeding from the mouth of Chriſt, or dictated by the holy Ghoſt, and preſerued in the Catholique Church. And ſetting downe the Catalogue of the bookes, concludeth, that if any will not receiue them all, as Sacred and Canonicall, in all parts, as they are read in the Catholike Church, and contained in the vulgar Edition, or ſhall wittingly and purpoſely deſpiſe the traditions, let him be Anathema; that euery one may know what ground the Synode will vſe in confirming the points of doctrine, and reforming of maners in the Church.

Two Decrees read in the Seſſion.

The contents of the former.

The ſubſtance of the ſecond Decree.

The ſubſtance of the ſecond Decree was; that the vulgar Edition ſhould be held for authenticall in publike Lectures, Diſputations, Sermons, and expoſitions, and that none ſhould dare to refuſe it. That the holy Scripture cannot bee expounded againſt the ſenſe held by the holy Mother the Church, nor againſt the common conſent of the Fathers, though with purpoſe to conceale thoſe expoſitions, and that the offenders ſhould be puniſhed by the Ordinaries: that the vulgar edition ſhould be moſt exactly printed. That no bookes of religion be printed, ſold, or kept, without the authors name, and that the approbation appeare in the frontiſpice of the booke, vpon paine of excommnnication, and pecuniary puniſhment conſtituted by the laſt *Lateran* Councell. That none ſhould dare to vſe the words of the holy Scripture in ſcurrility, fables, vanity, flatteries, detractions, ſuperſtitions, inchantments, diuinations, caſtings of lots, libels, and that the tranſgreſſors ſhould be puniſhed at the diſcreation of the Biſhops. And it was determined to hold the next ſeſſion the 17. of Iune.

The next Seſſion is to be held the 17. of Iune.

The Commiſſion of the Emperors Ambaſſadors is read.

Afterwards the Commiſsion of *Don Diego de Mendoza*, and *Francis de Toledo*, the Emperours Ambaſſadors, was read by the Secretarie of the Councell. *Don Diego* was abſent; and the other, hauing, in the Emperours name, ſaluted the Fathers in few words, ſaid in ſubſtance; That all the world knew that the Emperour thought nothing to befit him more, then not onely to defend the flocke of CHRIST from enemies, but to free it from tumults and ſeditions; therefore that he reioyced to ſee the day when the Councell, publiſhed by the Pope, was opened, and that being willing to fauour that occaſion with his power and authoritie, hee had ſent thither *Mendoza*, vnto whom, in regard of his indiſpoſition, himſelfe was ioyned. So that nothing remained but to pray God vniformely, that he would fauour the enterpriſe of the Councell, and which is the Principall, would preſerue peace betweene the Pope

and

and Emperour, for the eſtabliſhing of the trueth of the Goſpell, reſtoring the Church to her purity, & weedeing the cockle out of the Lords field. Anſwere was made by the Councel, that his Lordſhips comming was moſt acceptable, both for the dutie they did owe the Emperour, and for the fauour hee promiſed them, hauing alſo much hope in the realitie and religion of his Lordſhip. That they imbraced him with all their heart, and did admir, as farre as they could with reaſon, the mandates of *Ceſar*. That they were ſory for the indiſpoſition of his Colleague, and thanked God for the peace betweene the Pope and the Emperour, praying him to fauour the deſires of them both, for the increaſe of Chriſtian religion, and peace of the Church. Theſe things being done, with the vſuall ceremonies, the Seſſion ended, the Decrees whereof were ſent to *Rome* by the Legates, and a little after printed.

1546
PAVL 3.
CHARLES 5.
HENRIE 8.
FRANCIS 1.

But after they were ſeene, eſpecially in *Germanie*, they miniſtred great matter of diſcourſe. Some thought it ſtrange that fiue Cardinals, and 48. Biſhops, ſhould ſo eaſily define the moſt principall and important points of Religion, neuer decided before, giuing Canonicall authoritie to bookes held for vncertaine and apocryphall, making authenticall a tranſlation differing from the original, preſcribing and reſtraining the manner to vnderſtand the word of God; neither was there amongſt theſe Prelats any one remarkable for learning; ſome of them were Lawyers, perhaps learned in that profeſſion, but of little vnderſtanding in Religion; few Diuines, but of leſſe then ordinary ſufficiency; the greater number Gentlemen or Courtiers; and for their dignities ſome were onely titular, and the maior part Biſhops of ſo ſmall Cities, that ſuppoſing euery one to repreſent his people, it could not be ſaid that one of a thouſand in Chriſtendome was repreſented. But particularly of *Germanie*, there was not ſo much as one Biſhop or Diuine. Was it poſſible that amongſt ſo many no man ſhould be ſent! Why did not the Emperour cauſe ſome of them to goe, who aſſiſted in the Colloquie, and were informed in the differences? Amongſt the Prelats of *Germanie* onely the Cardinall of *Ausburg* had ſent a Proctor, and him a Sauoyard. For the Proctors of the Cardinall and Elector of *Ments*, vnderſtanding their maſters death, went away two moneths before.

A few Prelats and not learned, do decide the greateſt points of religion.

Others ſaid, that the things decided were not of ſo great moment as they ſeemed. For the point of traditions, which ſeemed moſt important, was of no conſequence. Firſt, becauſe it was nothing to ordain they ſhould be receiued, if it were not declared which they were, & how they ſhould be knowen: the, becauſe there was no commandement to receiue them, but onely a prohibition to contemne them wittingly and deliberately. So that he that reiected them with reuerend termes, contradicted not; and the rather, becauſe there is an example of the adherents of the Church of *Rome*, who receiue not the ordination of Deaconeſſes, graunt not to the people the election of the Miniſter, which certainely was an Apoſtolicall inſtitution, continued more then eight hundred yeeres, and, which more importeth, obſerue not the communion of the Chalice, inſtituted by Chriſt, preached by the Apoſtles, obſerued by the whole Church, vntill within two hundred yeeres, and now alſo by all Chriſtian Nations but the Latine; that if this be not a tradition, it is impoſſible to ſhew what other is. And for the vulgar edition declared authenticall

Nothing is certainly defined concerning traditions.

1546 PAVL 3. CHARLES 5. HENRIE 8. FRANCIS 1.

thenticall, nothing at all was done, because among so many copies, it cannot be knowen which is the true. But this last opposition was made, because the deputation to make a corrected copie of the vulgar edition, was not knowen. The which, for what cause it was not effected, shall be said in its place.

Nor concerning the vulgar edition.

But the Decrees of the session being seene in *Rome*, and the importance of the things treated of considered, the Pope began to thinke he ought more to regard the businesse of the Councell, then vntill that time hee had done; and he enlarged the congregation of Cardinals and Prelats, who were to consider of the occurrences of the Synode, and to relate them. By the aduice of these, after their first assembling, he admonished the Legats of three things. One, not to publish hereafter in session any decree, before they had communicated it at *Rome*, and to auoyd too much slownesse in proceeding, but to beware much more of too much celeritie, which might make them resolue of some indigested matter, and want time to receiue orders from him, what they should propose, deliberate, and conclude. The second, not to spend time in matters not controuersed, as they had done in those that were handled for the last session; wherein all agree, that they are vndoubted principles. The third, to take heede, that by no meanes the Popes authoritie be disputed on.

The Pope admonisheth the Legates of three things.

Whereunto they readily answered, that they would obey his Holinesse commaundement; but that it seemed to them, that in the things defined, there is small difference betweene Catholiques and Heretiques, and that some of the Scriptures of the Old and New Testament, receiued by the third Councell of *Carthage*, by *Innocentius* the first, by *Gelasius*, by the sixt Synod of *Trullus*, and the Florentine Councell are called into question by the heretikes, and which is worse, by some Catholikes and Cardinals, and also that the vnwritten Traditions are impugned by the Lutherans, who intend nothing more then to annihilate them, declaring that all things necessary to saluation, are written. And therefore though these two heads bee principles, yet they are the most controuersed conclusions which are to bee decided in the Councell, and of the greatest importance. They added that vntill then there was no occasion to speake of the Popes authoritie, or of the Councell, but in treating of the title, when the addition of *Representation of the vniuersall Church* was required. That many desire it still, but that they will auoid it as much as possibly they can. And in case they shall be brought to it by force, they will desire (thinking it will not bee denied them) to expound the manner how it doth represent, that is, by meanes of the head, and not otherwise; whereby there will bee rather gaine then losse. For the rest, because they think the maior part will alwaies beare al reuerence to his Holinesse, being vnited, as Head, with the bodie of the Councell, (which will be so long as they shall agree in the reformation) he may set his heart at rest that his authoritie shall not be questioned.

To whom the Legates make a ready answere.

After this the Pope sent *Ieronimo Franco Nuncio* to the Swisses, giuing him letters to the Bishops of *Sion*, and *Coira*, to the Abbat of *S. Gallo*, and other Abbats of those Nations; to whom hee wrote, that, hauing called all the Prelates of Christendome to the Generall Councell of *Trent*, it was for that

The Pope sendeth a *Nuncio* to the *Swisses*.

they,

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

they, who represent the Helvetian Church, should assist also, in regard hee much loued that nation, as especiall sonnes of the Apostolike Sea, and maintainers of the Ecclesiasticall libertie. That Prelates out of *Italie*, *France*, and *Spaine* were arriued alreadie, and the number increased dayly. That it was not seemely that they, being borderers, should bee preuented by those that dwelt further off. That their Countrey was infected with heresies, and therefore had more neede of a Councell. In fine hee commaunded them, vpon their allegiance and oath, and paines prescribed by the lawes, to goe thither as soone as was possible; referring the rest to bee tolde them by his *Nuncio*.

And giueth sentence against the Archbishop of *Collen*.

And at the many instances of the Clergie and Vniuersitie of *Collen* assisted by the Bishops of *Liege* and *Vtrect*, and Vniuersitie of *Louaine*, hee pronounced sentence against the Arch-bishop and Elector of *Collen*, declaring him excommunicated, depriuing him of all benefices and priuiledges Ecclesiasticall, absoluing his Subiects from their oath of fidelitie, and commaunding them not to obey him, because hee had incurred the censures of the Bull of *Leo* the tenth, published against *Luther* and his adherents, as hauing held, defended and published that doctrine against the Ecclesiasticall rules, traditions of the Apostles, and vsuall rites of Christian religion. And the sentence was after printed in *Rome*. Hee made also another Bull, giuing order that *Adolphus*, Count of *Scauemburg*, assumed before by the Arch-bishop for his Coadiutor, should be obeyed.

The Pope maketh a Bull in fauour of *Adolphus*.

The Emperor will not execute the Popes sentence.

And hee earnestly desired the Emperour that the sentence might be executed; who thought not this nouitie fit for his purpose, because it would make the Arch-bishop, who vntill then had absolutely obeyed him, to vnite himselfe with those that were combined against him. And therefore he held him still for an Arch-bishop and treated with him, and wrote to him, without regard of the Popes sentence. This vexed the Pope at the heart; but seeing there was no remedie, hee thought it follie to complaine in vaine. That sentence produced another bad effect, because the Protestants tooke occasion to confirme their opinion, that the Councell was intimated only to insnare them. For if the controuersed doctrine of faith ought to bee examined in the Councell, how could the Pope, before the definition thereof, proceede to sentence, and condemne the Arch-bishop of heresie? Therefore it appeareth that in vaine they should goe to that Councell, where the Pope domineereth, who cannot dissemble, though hee would, that hee esteemeth them as men condemned. That it was manifest also that the Pope made no account of that Councell, because, after it was begun, hee proceeded definitiuely in that which belonged to the Councell, without impartingany thing vnto it. The Duke of *Saxonie* signified this to the Emperour by his Ambassadours, and after sayde vnto him, that the Popes minde being now made manifest, it would bee high time to prouide for *Germanie*, by a Nationall Councell, or by handling seriously the points of Religion in a Diet.

The Protestants are cõfirmed in their opiniõ by this sentence.

But to returne to the businesse of the Councell, there remained (as hath beene saide) as remnants of the things handled before in the last Session, the two points, to prouide for the Lectures of the holy Scripture, and preaching

1546
Pavl 3.
Charles 5.
Henry 8.
Francis 1

ching of the word of God. For this was handled in the first Congregation; and (to begin the matter of faith) it was proposed to treat likewise of originall sin. Wherunto the Spanish Prelats opposed, and said, that to prouide against the abuses of preaching & reading, was matter enough for one session. Which opinion also was followed by the Italian Prelates who were on the Emperors side. And the Legats thought they had discouered that this was plotted by *Cæsars* ministers, who at the very instant had seriously treated with those Prelats. Therfore they sent aduise thereof to the Pope, from whom they had answere, that they should take heed to go on warily, vntil he were able to giue them a resolution. Therefore they vsed artificiall diligence, entertaining themselues with part of the abuses, without comming to the conclusion of them, & without making demonstration whether they would proceede in the matter of originall sinne. And thus the case stoode vntill Easter.

Don Francis of *Tolrdo* perswadeth that the reformation should be handled without doctrine.

Which being past, the Pope wrote they should proceede, and propose that matter. This beeing deliuered the second of May, came to the knowledge of *Don Francis*; who going to visit the Legats, vsed much arte, sometimes making shew to giue them counsell, somtimes proposing his opinion for the prosecuting of the reformation onely, to know their mindes, and to perswade them obliquely to embrace his deseigne. But seeing that did no good, hee began to speake as plainely as was needfull, that hee had letters from the Emperour, by which hee was charged to bee a meanes that they should not enter into the points of doctrine, but should handle the reformation only. The Legats brought many reasons to the contrary; and amongst others they sayd, they could not doe it without contradicting the Popes Buls, which proposed these two things together; and that which was established in the Councell, that they should goe forward cheeke by iowle; adding, that they had written to his Holinesse that they would beginne eight dayes after Easter. Diuers discourses and replies were made on both sides, and in conclusion the Legates said they were commanded by the Pope, and could not bee wanting to their duety. *Don Francis* said, it was the duetie of good ministers to maintaine amitie betweene Princes, and sometimes to expect the second Commission. This was not denied by the Legates; but they answered, that more was not to be expected from them then they were able to doe with their honour. They gaue the Pope an account of all this, adding, that the Cardinall of *Trent* told them, that if the Article of originall sin were proposed, the Emperor would be discontented; and therefore on the one side being desirous to make peace & concord, and on the other to obey his Holinesse commandements, they thought good to send away this aduise in diligence, beseeching him not to let them erre; adding, that if no other aduise came, they would follow his last commandement, and would labour to perswade *Don Francis* and the Cardinall of *Trent*, that this Article of originall sinne was no more questioned in *Germanie*, but accorded, as was manifest by the last Colloquie of *Ratisbon*, where his Maiestie for the first Article to bee accorded, caused that of iustification to be taken. But to giue as much more time as is possible, they will entertaine themselues, as many dayes as they honestly can, in dispatching that which remaineth of the last Session.

A Con-

A Congregation was made for this onely, to giue a better forme how they should more orderly proceede then they formerly had done, as well in handling the doctrine of faith, as the matter of reformation. And they distinguished two sorts of Congregations; one for Diuines, to discourse on the matter of faith which should bee proposed, whose opinions should bee written by one of the Notaries of the Councel, to whom should bee added Canonists when reformation was spoken of: (which Congregations were to bee held in the presence of the Legates, in which any of the Fathers that would might be present.) Another sort of Congregations should consist of Prelates to frame the heads of Doctrine and Reformation, which, beeing examined, and set in order, according to the most common opinion, should bee proposed in the generall Congregation, to vnderstand euery ones voice; that by the determination of the maior part, the decrees might be established, which are to be published in the session.

1546
PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

A forme to proceed in Councell is set downe.

According to this order, they treated of Lectures and Sermons, framing and reforming diuers draughts of Decrees; neither was it possible to finde a way to please all, because the Prelates were much interested to desire that all might depend vpon the Episcopall power, without exemption of any. But on the other side, the Legates desired to maintaine the priuiledges giuen by the Pope, especially to the Mendicants and Vniuersities. And after many disputes, when the matter was sufficiently debated, they thought that, in the Congregation of the tenth of May, all would agree. But it prooued to the contrary; for though it lasted till night, yet in some points, they could come to no conclusion, for the diuersitie of opinions amongsts the Prelats themselues, and in others, because the Legates would not yeelde to the generall opinion, to remooue, or, at the least, to moderate the priuiledges. They alledged against the Bishops, that they were more moued by their proper interest, then by reason; that they made no account to preiudice the Regulars; that they were too bold in correcting the former Councels, & in medling with the priuiledges granted by the Pope. And they could not agree, not onely for the variety of Opinions and interests of the Bishops, but also because the Imperialists did endeauour to make a difference, to hinder the proposing of the points of doctrine. Neither was this temporizing vngratfull to the Legates, who were resolute, if they were not forbid in the answere, which they expected from *Rome*, to propose the doctrines, and, as their inward friends saide, to cleere themselues afterwards of whatsoeuer should ensue.

The differēce betweene the Prelates and Regulars, about lectures and sermons doth returne

But to make some end of the things handled, they caused a briefe of the opinions of the Diuines and Canonists, deliuered in diuers preceding Congregations, to be read; saying, that in regard the voices were long, they had collected the summe of them, that they may examine them, and speake their opinions thereon. But *Bracius Martellus*, Bishop of *Fiesole*, hearing the extract read, opposed it in a continued speech, and said it was necessary that the generall Congregation should know the voices and reasons of all, without reading collections and summes; and enlarged himselfe by amplifying the authority of the Councel, & the necessity to informe it wel, and the smal conuenience, that some few should be Iudges of the determinations, or that the

The Bishop of *Fiesole* opposeth the Legates.

resoluti-

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

reſolutions ſhould come from any other place: whereat the Legates were much offended, and reprehended the Biſhop with affected modeſty, but bytingly enough. And ſo the Congregation brake vp.

Who complaine to the Pope both of him, and of the Biſhop of *Chioza*

The next day the Legats ſent to the B. to demand a copie of his diſcourſe, & ſent it to *Rome*, taxing it as irreuerent & ſeditious; adding, that they had modeſtly and ſeuerely reprehended him, and would haue gone further (becauſe he deſerued no leſſe) but that they feared to mooue ſome vnſeaſonable diſpute, which might make a rent; But that he ought not to eſcape vnpuniſhed, leaſt he ſhould bee emboldened to doe the like in euery congregation, or worſe: repreſenting to his Holineſſe, that by all meanes he ſhould be chaſed out of *Trent*, and order taken that the Biſhop of *Chioza*, (not much vnlike vnto him, though in another courſe) ſhould neuer returne. This Biſhop parted immediatly after the ſeſſion, vpon pretence of indiſpoſition, but in truth by reaſon of words which paſſed betweene him and Cardinall *Poole* in Congregation, in the matter of traditions. For hauing ſpoken in defence of Fryar *Antonius Marinarus*, and thereupon conteſted with the Cardinall, and ſo hauing complained that the Councell was not free, he ſaw he was not in the Legats fauour, and obnoxious to danger. The Legats not content with what they had done, to mortifie the Biſhop of *Fieſole*, and to keep the matter intire vntill there came aduiſe from *Rome*, that they might go on with it, or diſſemble, as they ſhould be commaunded, in the next Congregation *Monte* gaue him a nip by the way, and concluded that he left him then to conſider of his owne affaires, becauſe himſelfe was to be imployed in matters of greater importance.

The Popes anſwer to the Legats.

The Pope anſwered concerning the two Biſhops, that he would giue a remedy in time conuenient. But for the matters to be handled, he ſaid, that if they regarded the deſires of Princes, they would make the Councell more tumultuous, and the reſolutions more long and hard, becauſe euery one ſought to croſſe what liked him not, and by putting difficultie in one thing, to promote another. Therefore that without any more to doe, they ſhould begin with originall ſinne, aduiſing them to omit the excuſe which they purpoſed to vſe to D. *Francis*; that is, that the article of originall ſinne is not queſtioned in *Germanie*; but ſhould rather vſe generall termes, and all reuerence to the Emperour.

The Councel in *Trent* is gouerned by certaine Deputies in *Rome*

He further commaunded them, that concerning the correction of the vulgar edition, they ſhould proceed no further, vntill the Deputies ouer the Councell in *Rome*, had determined what courſe ſhould be held. The Legats reſoluing, for execution of thoſe orders, to propoſe originall ſinne, made a congregation two daies together, to determine of the two heads of reading and preaching, before they publiſhed their purpoſe to handle matters of faith, leaſt thoſe two points, being vndecided, might cauſe the Imperialiſts to diuert from this. And they cauſed the Deputies for the vulgar edition, to bring to them all they had done, charging them to proceede no further vntill they had receiued new order. Such was the libertie of the Councell depending on the Pope, in leauing of things begun, and beginning new.

In treating of the Lectures and Sermons, there was a generall complaint of the

of the Bishops, especially Spanish; that, CHRIST hauing commanded that his doctrine should be taught, which is exercised in the Church by preaching, and reading to the more capacious, that they may be fit to teach the people; the care to superintend, ouer all that exercise these functions, ought to bee proper to the Bishop. That the Apostles haue so instituted, and the holy Fathers so practised. That now this office is absolutely taken from the Bishops by priuiledges, so that no iot thereof remaineth. That this is the cause why all is out of order, because the order instituted by CHRIST is changed. The Vniuersities are withdrawen with exemptions, that the Bishop cannot know what they teach; the Sermons are by priuiledge giuen to the Friars, who by no meanes acknowledge the Bishop, nor suffer him to meddle: so that the office of a Pastour is quite taken from the Bishops. And on the contrarie, those who anciently were appointed to weepe for sinnes, and expresly and seuerely forbid to preach and teach, haue assumed this power vnto them, or, at the least, it is giuen them for their proper function. And so the flocke remaineth without either shepheard or hireling; because these ambulatorie Preachers, who to day are in one Citie, to morrow in another, know neither the need, nor the capacitie of the people, and least of all the occasions to teach and edifie them, as doth the proper Pastour, who liueth alwayes with the flocke, and knoweth the necessities and infirmities of it. Besides the ende of those Preachers, is not to edifie, but to take almes either for themselues or their Cloisters; which that they may the better obtaine, they aime not to benefit the soule, but to delight the eare, and soothemen in their pleasures, that thereby they may draw more profit; and the people, in stead of learning the doctrine of CHRIST, learneth either nouitie, or vanitie at the least. *Luther* was one of these; who if hee had remained weeping in his Cell, the Church of CHRIST had not stood in these termes. That the abuse of the Pardoners was more manifest, who goe about preaching Indulgences, whose scandals, formerly giuen, cannot bee related without teares. That it is a cleere case, that they exhort the people to nothing but to giue money. The onely remedie for these disorders, is to take away all the priuiledges, and to restore to the Bishops, the charge to teach and preach, and to elect those for their fellow labourers whom they shall know worthie of that ministerie, and disposed to exercise it with charitie.

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

A complaint against the regular orders.

On the contrary side, the Generals of the Regulars, and others saide, that the Bishops and Curates hauing wholly abandoned the office of a Pastour, so that for many hundreds of yeeres the people remained without Sermons in the Church, and without the doctrine of Diuinitie in Schooles, God had raised the begging orders to supplie these necessarie ministeries; into which notwithstanding they intruded not themselues, but entred by the graunt of the Supreame Pastour; vnto whom it principally appertaining to feede all the flocke of CHRIST, it cannot bee saide that men deputed by him, to supplie the defects of him that had the care of the flocke and did abandon it, haue vsurped the office of another. But it may bee sayde, that if they had not vsed that charitie, there had now remained no signe of Christianitie. Now that they haue applyed themselues more then three hundred yeeres to that holy worke, with such fruit as appeareth, they haue pre-

An Apologie of the regular orders.

1546 Pavl 3. Charles 5. Henry 8. Francis 1.

scribed those functions, and made them their owne, by a lawfull title, giuen by the chiefe Pastour, the Bishop of *Rome*; and that the Bishops haue no lawfull right vnto them, nor can alleadge the vse of antiquitie to regaine that office, which so many hundred yeeres since they haue forsaken. That they haue a desire of gayning for themselues or their Monasteries is a meere calumnie, because the almes are gathered onely for their necessary foode, and apparell, and the residue being spent for the worship of God, in masses, buildings, and ornaments of Churches, turneth to the benefit and edification of the people, and not to their owne profit; that the seruices done by their orders to the holy Church, and doctrine of Diuinitie (which is no where to bee found but in their Cloisters) deserue the continuance of that charge which others are not able to exercise.

The Legats, relate this difference to *Rome* & expect an answere.

The Legates, importuned by both parties, by the Councell of their most inward friends resolued to relate to *Rome*, and expect an answere. The Pope referred it to the Congregation; where presently it was seene whither the pretence of the Bishops tended; that is, to make themselues so many Popes in their Dioceses. For when the Popes priuiledge and exemption should bee remooued, and euery one should depend on them, and none on the Pope, all cause of going to *Rome* would cease. They considered that the Popes haue anciently had for a principall secret to preserue the Primacie giuen them by Christ, to exempt the Bishops from the Arch-bishop, the Abbats from the Bishops, and so to oblige men to defend him. That it is a cleere case, that after the sixe hundredth yeere, the Primacie of the Apostolike Sea hath beene vpheld by the Benedictine Monkes exempted, and after by the Congregations of Clunie, and Cistercium, and other monasticall assemblies, vntill God raised the Mendicant orders, by which it hath beene maintained vntill now. Wherefore to take away their priuiledges, were directly to oppugne the Papacie, and not those orders; to remooue the exemptions, were a manifest depression of the Court of *Rome*, because they should want meanes to keepe a Bishop within compasse, that he exalt not himselfe to high. Therefore that the Pope and Court were compelled by necessitie to maintaine the Friars cause.

The Deputies in *Rome* take part with the Mendicants, for reasons of Policie.

But to doe these things smoothely, they considered also that it was necessarie to conceale this reason; and they resolued to answere the Legates, that by all meanes they should preserue the state of the Regulars, and cause the Bishops to surcease, setting before them the excessiue number of the Friars, and the credit which they haue with the people, and aduise them to take a moderate course, and not make a Schisme, by desiring too much. That it was iust they should receiue some satisfaction, but they should also bee content to giue it; and when they came to the point, they should grant any thing concerning the Pardoners, but should doe nothing concerning the Friars, without communicating it to the Generalls, and should giue the Bishops some satisfaction which might not take away the priuiledges. That they should doe the like for the Vniuersities; because it was necessarie that both these and those should depend on the Pope, and not on the Bishops.

The Popes answere.

After these letters came to *Trent*, those of the Councell had three diuers endes. For the other particulars proposed in these two matters, by those who

who were not interested either to fauour or disfauour the exemptions, were but little considered of. For the Lectures, some proposed the restitution of the ancient vse when Monasteries and Canons cloisters were but Colledges and Schooles. Whereof some remainder appeareth in many Cathedral Churches, where there is the dignitie of a Schoolman, Head of the readers, with a prebend. These men now doe not performe the duetie, and indeed are vnable. All thought it honest and profitable to restore the Diuinitie Lecture in Cathedral Churches, and Monasteries. For the former they thought it easie to make prouision, by committing the care of the execution thereof to the Bishops; but for the latter very difficult. The Legates opposed the superintendencie of Bishops, euen in this also, though it were ouer Monkes onely, not Mendicants, for fear of leauing a gate open to them, to meddle with priuiledges granted by the Pope. But *Sebastianus Pighius*, Auditor of the *Rota*, found a temper for this, that the superintendencie should be giuen to the Bishops, as Delegates of the Apostolique Sea. The inuention pleased, because it was in fauour of the Bishops; without derogation of the priuiledge; for the Bishop was to superintend, not as Bishop, but as the Popes Delegate. And this gaue a paterne to accommodate other difficulties; one in giuing authoritie to the Metropolitans, ouer Parishes vnited to Monasteries, not subiect to any Dioceese; another, in giuing power to Bishops ouer exempted preachers, who faile; and serued also very much in the Decrees of the Sessions that were after.

1546
PAVL. 3.
CHARLES 5.
HENRIE 8.
FRANCIS 1.

The inuention of the Auditor of the *Rota*.

The Canonists proposed that the schoole subtiltie was not fit in these times, and that it beseemed rather naturall things, and Philosophie; that these new Lectures should bee introduced to handle the Sacraments, and the authoritie of the Church, as *Turrecremata*, *Augustinus Triumphus*, and after them *S. Antoninus*, and others haue done with great fruit. But the Friars contradicting, and opposing that this doctrine was as necessary as that, they found a temper, and ordered that the Lecture should bee for exposition of the Scripture, and that the matter should bee fitted to the exigence of the text read, and the capacitie of the auditors.

Politique reasons to vphold y Popes authority.

After many discourses in many Congregations, they came to establish the Decrees for the Sermons, and to ouercome the difficulties, they caused the Prelates, who were their assured friends, to negotiate with the Italian Bishops, wishing them to consider how much they were bound, for the honour of their nation, to vphold the dignitie of the Papacie, whose authoritie was treated of by medling with the priuiledges, and what they might hope for from the Pope and Legates, applying themselues to that which is iust, and not depriuing the Friars of that they haue enioyed so long. That it was dangerous to despise so many learned men, now when heresies doe trouble the Church. That the authoritie of Bishops should be enlarged, by granting them power to allow or disallow the Preachers when they preach out of the Churches of their order; and when they preach in them, by making them acknowledge the Prelate, first asking his benediction. That the Bishops might punish the Preachers for heresie, & forbid them to preach, to auoid scandall. That they should be contented with this, and that other things should be added, as occasion serued. By this meanes they gained so

1546 Pavl 3. Charles 5. Henrie 8. Francis 1.

many, that they were ſecure to eſtabliſh the Decree with thoſe conditions. But there remained another difficultie; becauſe the Friars and Generals were not ſatisfied, and to diſtaſte them was not ſecure, and expreſly forbid by the Pope. They endeuoured to ſhew them, that the grant made to the Biſhops, was iuſt and neceſſary, whereof themſelues were cauſe, by extending their priuiledges too much, and by paſſing the bonds of honeſtie. In fine, by admoniſhing the Biſhops to proceede ſo, that the Friars might not haue cauſe to complaine, the Generals alſo were pacified.

When they made knowen their reſolution to condemne in the ſame ſeſſion the Lutheran opinions of originall ſinne, they alleadged, that, to keepe the order of putting both the matters together, it was neceſſary to handle ſome point of faith, and that they could not begin from any other point. And they propoſed the Articles extracted out of the Proteſtants doctrine in that matter, to bee examined and diſcuſſed by the Diuines in the Congregations, whether they ought to bee condemned for hereticall. The Cardinall *Paceco* ſaid that the Councell was to handle Articles of faith, onely to reduce *Germanie*, the which hee that would doe out of ſeaſon, ſhould not onely faile of his ende, but make matters worſe. When there is opportunitie to doe it, it cannot bee knowen to thoſe in *Trent*, but onely to him that ſitteth at the ſterne of that Countrey, who, ſeeing all particulars, knoweth when to applie the medicine. Therefore hee aduiſed that they ſhould craue by letters the opinion of the principall Prelates of the Nation, before they went any further; or that the Popes *Nuncio* ſhould ſpeake thereof with the Emperour. To which opinion the Emperours Prelates, induced by the Ambaſſadour, did adhere. But the Legates, commending their iudgement, and promiſing to write to the *Nuncio*, added, that, notwithſtanding this, the Articles might bee diſputed by the Diuines, to gaine time, whereunto the Cardinall alſo, and the others, adhered, hoping that many difficulties might come acroſſe, to cauſe a delay, and the Ambaſſadour *Toledo* was contented, ſo that the ſummer might be paſt before the definition were made.

The Articles propoſed, were.

The points of original ſinne to be diſcuſſed.

1. That *Adam*, by tranſgreſſing the precept, hath loſt iuſtice, and incurred the wrath of God, and mortalitie; and though hee bee impaired both in ſoule and bodie, yet no ſinne is transferred from him to poſtertie, but onely corporall puniſhments.

2. That *Adams* ſinne is called originall, becauſe it is deriued from him to poſteritie, not by tranſmiſſion, but by imitation.

3. That originall ſinne is ignorance, or contempt of God, or want of feare, without confidence in his Maieſtie, without diuine loue, and with concupiſcence, and bad deſires; and generally a corruption of the whole man in his will, ſoule, and body.

4. That in children there is an inclination to euill, proceeding from the corrupted nature, ſo that after the vſe of reaſon, it bringeth forth a loathing of diuine things, and an immerſion in matters of the world; and that this is originall ſinne.

5. That children, at the leaſt borne of faithfull parents, though they are

baptized

baptized into the remiſſion of ſinnes, yet they haue no ſinne by deſcending from *Adam*. 1546

6. That originall ſin is not cancelled in Baptiſme, but not imputed, or ſo razed, that it beginneth to diminiſh in this life, and is wholly rooted out in that to come. PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

7. That the ſinne remayning in the baptized, hindereth his entrance into heauen.

8. That concupiſcence which cheriſheth ſinne, and remayneth after baptiſme, is truely ſin.

9. That the principall puniſhment due to originall ſin, is hell fire, beſides corporall death, and other imperfections, vnto which man is ſubiect in this life.

The Diuines in the Congregation agreed, that to diſcuſſe thoſe Articles, it was neceſſary not to proceed in that order, but to examine all the matter methodically, and ſee what was ſinne in *Adam*, and what, deriued from him to poſterity, is ſin in all men, called originall, how it is tranſmitted, and how remitted.

In the firſt point alſo they agreed, that *Adam* beeing depriued of righteouſneſſe, his affections rebelled againſt reaſon; which the Scripture vſeth to expreſſe, ſaying, the fleſh rebelleth againſt the ſpirit, and by one onely name, calleth this defect Concupiſcence. That hee incurred the wrath of God, and corporall mortalitie, threatned by God, together with the ſpirituall death of the ſoule; and yet that none of theſe defects can be called ſinne, but puniſhments that follow. For ſinne is formally the tranſgreſſion of a diuine precept. And here many enlarged themſelues, to finde out the kinde of this fault. Some ſaid it was pride, ſome gluttony, ſome infidelity, and ſome more ſoundly, that it might bee drawne to all theſe, and more. But hee that will take S. *Pauls* words for his ground, can put it in no other kinde, but of pure diſobedience. But ſeeking to know what thing deriued from *Adam* is ſin in vs, the opinions were more diuers. For S. *Auſtine*, who firſt ſought into the eſſence thereof, following S. *Paul*, ſaid it is concupiſcence. And S. *Anſelmus*, many hundred yeeres after, holding that ſin is cancelled in the baptized, concupiſcence ſtill remayning, maintayned that it is the priuation of originall righteouſneſſe, which in Baptiſme is renewed, by a thing equiualent, which is grace. But S. *Thomas*, and S. *Bonauenture*, deſiring to reconcile theſe two opinions, conſidered that in our corrupted nature there are two rebellions; one of the ſoule, againſt God, the other of the ſences againſt the ſoule; and that this is concupiſcence, and that vnrighteouſneſſe, and therefore both together are the ſin. And S. *Bonauenture* gaue the firſt place to concupiſcence, ſaying that this is poſitiue, and the other negatiue. And S. *Thomas* contrarilie made concupiſcence the materiall part, and the priuation of righteouſneſſe the formall. Whereupon he ſaid, that this ſinne in vs is concupiſcence, deſtitute of originall righteouſneſſe. The Maſter of the Sentences, and the old Schoolemen followed S. *Auſtins* opinion, which was maintayned in the Councel by two Hermite Friars. But becauſe *Iohn Scotus* defended the opinion of his countrie-man *Anſelmus*, the Franciſcans maintayned it in the Councel, and the greater part of the Dominicans that of S. *Thomas*. So it was declared

The diſcuſſion of originall ſinne.

1546 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

declared what was the ſinne of *Adam*, and what originall ſinne in other men.

How originall ſinne is tranſmitted to poſterity.

But they were more troubled to diſcourſe how it was tranſmitted from him to poſterity, and ſucceſſiuely from father to ſonne. For S. *Auſtine*, who opened the way vnto others, preſſed with the obiection of *Iulianus* the Pelagian, who asked him of the manner of tranſmitting originall ſinne when man is conceiued, ſeeing that Matrimony and the vſe thereof is holy, neither God the firſt author ſinning, nor the parents, nor hee that is borne, by what chinke ſinne entred, anſwered onely, that chinkes were not to bee ſought where a gate ſtood wide open, the Apoſtle ſaying, that by *Adam* ſinne entred into the world. And in many places where he was to ſpeake hereof, he ſhewed himſelfe doubtfull, and was irreſolute whether as the body of the childe is deriued from the body of the father, ſo the ſoule from the ſoule. For the fountaine beeing infected the riuer muſt needs be defiled. The modeſtie of this Saint, was not imitated by the Schoolemen; who, beeing reſolued that euery ſoule is created immediately by God, ſaid, that the infection was principally in the fleſh, contracted by our fore-fathers in the earthly Paradiſe, either from the poyſoned quality of the fruit, or the venimous breath of the Serpent. Which contamination is deriued into the fleſh of the children, which is a part of their parents fleſh, and is contracted by the ſoule in the infuſion, as a liquor contracteth the ill quality of an infected veſſell; and the infection is cauſed in the fleſh, by the luſt of the parents in the generation. But the variety of opinions made no difference in the cenſure of the Articles: For euery one, cleauing to his owne, ſhewed that it was decided by it, that the firſt article was hereticall, which vndoubtedly was condemned for ſuch in the Councel of *Paleſtina*, and in many of *Africa* againſt *Pelagius*. And it was reexamined in *Trent*, not as it was found in the writings of *Luther*, or his followers, but as it was auerred by *Zuinglius*: who, notwithſtanding ſeemed to ſome of the Diuines, who diſcuſſed his words well, to thinke rather that in the poſterity of *Adam* it was no ſinne of action, but a corruption and transformation of nature, which hee called a ſinne in the kinde of ſubſtance.

The ſecond Article was eſteemed hereticall by all, and was by the ſame *Pelagius* long ſince inuented; who, becauſe hee was not condemned in the Councel of *Paleſtina*, for ſaying that *Adam* had not hurt his poſterity, hee recanted, and confeſſed the contrary, and after, together with his followers, declared himſelfe that *Adam* had damnified his poſterity, not by tranſmiſſion of ſinne, but by giuing them a bad example, which hurteth thoſe that do imitate it. And *Eraſmus* was noted to haue renewed the ſame aſſertion, interpreting the place of S. *Paul*, That by *Adam* ſinne entred into the world, and paſſed into all, in regard all haue imitated, and doe imitate his tranſgreſſion.

The third Article for the firſt part, was cenſured in *Trent*, as alſo in many Colloquies in *Germany*, by ſaying that thoſe actions could not be originall ſinne, ſeeing they are not in children, nor alwaies in thoſe of ripe age: ſo that to ſay there was no ſinne but that, was wholly to deny it, and not to ſatisfie the excuſe of thoſe in *Germanie*, who vnder the name of actions, vnderſtand

a naturall

a naturall inclination to ill, and an inability to good: For, if they vnderstood it so, it was fit to say it, and not to speak euill, but so as that others may vnderstand them well. And though Saint *Austin* spake thus when he said, that originall righteousnesse was to obey God, and not to haue concupiscence, he would alter his speech if he had beene in these times, because it is very lawfull to name the cause for the effect, and the effect for the cause, when they are proper and adequate. But it is not so in this case; for originall sinne is not the cause of those bad actions, except a bad will, as principall, be added. But for the second part of the Article, they said, that if the Protestants vnderstood a priuitiue corruption, the opinion may be tolerated; but they vnderstand a corrupted substance, as if the proper nature of man were changed into another forme, then that in which it was created, and reprehend the Catholiques, when they call the sinne a priuation of Iustice, as a fountaine without water; but they call it a fountaine from whence corrupted waters do issue, which are the acts of incredulitie, distrust, hatred, contumacie, an inordinate loue of ones selfe, & worldly things: and therefore that it was fit absolutely to condemne the Article. And the fourth also was censured by the same reason, saying that inclination to be the punishment of sinne, and not sinne formally; and without alleadging ought else, it was absolutely denied to be a sinne. 1546 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

It must not be omitted that in this point, the *Franciscans* could not conteine themselues from exempting the Virgin, the mother of GOD, from this law by a speciall priuiledge, endeuouring to enlarge themselues in the question, and to proue it; and the Dominicans laboured to comprehend her by name, vnder the common Law, though the Cardinall of *Monte* omitted no occasion to make them leaue that controuersie, saying, they were assembled to condemne the heresies, not the opinions of the Catholiques. The Franciscans exempt the Virgine *Mary* from sinne, and are opposed by the Dominicans.

No man resisted the condemnation of the Articles. But Fryar *Ambrosius Catarinus* noted the reasons for vnsufficient, in that they declared not the true nature of this sinne; and shewed it in a long discourse. The substance whereof was; that it is necessary to distinguish the sinne from the punishment; that concupiscence and priuation of righteousnesse, is the punishment of sinne; therefore that it is necessary the sinne should bee another thing. He added, that which was not a sin in *Adam*, it is impossible it should be a sinne in vs: but neither of these two were sinne in *Adam*, because neither priuation of righteousnesse, nor concupiscence were his actions; therefore neither are they in vs; and if they were effects of sinne in him, of necessitie they must be so in others also. By which reason, it cannot be said that sinne is the enmitie of GOD against the sinner, nor the sinners enmity against GOD, seeing they are things that follow sinne, and come after it. He oppugned also the transmission of sinne, by meanes of the seed and generation, saying, that as, if *Adam* had not sinned, righteousnesse would haue beene transfused, not by vertue of the generation, but onely by the will of GOD; so it is fit to finde another meanes to transfuse sinne. And he explaned his opinion in this forme, that as GOD made a Couenant with *Abraham* and all his posteritie, when he made him father of the faithfull, so when he gaue originall righteousnesse to *Adam* and all mankind, he made him seale an obligation The opinion of *Catarinus*.

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

ligation in the name of all, to keepe it for himselfe and them, obseruing the commandements; which because he transgressed, he lost it as well for others as himselfe, & incurred the punishments also for them; the which as they are deriued into euery one, so the very transgression of *Adam* belongeth to euery one; to him as the cause, to others by vertue of the Couenant; so that the action of *Adam* is actuall sinne in him, and imputed to others, is originall; because when he sinned, all mankind did sinne with him. *Catarinus* grounded himselfe principally, for that a true and proper sinne must needs be a voluntary act, and no other thing can be voluntary but the transgression of *Adam* imputed vnto all. And *Paul* saying that all haue sinned in *Adam*, it must bee vnderstood that they haue all committed the same sin with him. He alleadged, for example, that S^t. *Paul* to the *Hebrewes* affirmeth, that *Leui* paid tithe to *Melchizedec*, when he paid it in his great Grandfather *Abraham*; by which reason it must be said, that the posterity violated the commandement of GOD, when *Adam* did it, and that they were sinners in him, as in him they receiued righteousnes. And so there is no need to run to lust which infecteth the flesh, whence the soule receiueth infection. For it cannot be vnderstood, how a spirit can receiue a corporall passion; and if sinne were a spirituall blemish in the soule, it could not first be in the flesh, and if it be corporal in the flesh it can work none effect in the spirit. That the soule, by ioyning it selfe with an infected body, doth receiue spirituall infection, is an vnconceiueable transcendency. He prooued the couenant of God with *Adam*, by a place of the Prophet *Osea*, by another of *Ecclesiasticus*, and by many places of Saint *Austin*. That the sinne of euery one is the act onely of the transgression of *Adam*, he prooued by Saint *Paul*, when he saith, That by the disobedience of one man, many are made sinners; and because the Church hath euer vnderstood that sinne is nothing else but a voluntary action against the law, of which kind there was none but that of *Adam*; and because Saint *Paul* saith, that death entred by originall sinne, which entred onely by actuall transgression. And he brought for the principall proofe, that though *Eue* did eate the apple before *Adam*, yet she knew not she was naked, nor that she had incurred the punishment, but onely after *Adam* had sinned. Therefore *Adams* sinne, as it was not his alone, but of *Eue* too, so was it also of all his posterity.

Dominicanus Soto crosseth the opinion of *Catarinus*.

But Fryar *Dominicus Soto*, to defend the opinion of S^t. *Thomas*, and of the other Diuines from the obiections of *Catarinus*, brought a new exposition, and said, that *Adam* sinned actually in eating of the forbidden fruit, but after he remained a sinner by an habituall quality, caused by the action, as by euery bad action such a disposition is bred in the mind of the actor, by which, though the act be past, he remaineth, and is called a sinner; that *Adams* action was transitory, nor had existence, but while he wrought; that the habituall quality remaining in him, passed into the posterity, and is transfused as proper vnto euery one; that *Adams* action is not originall sin, but that consequent habit which the Theologues call priuation of righteousnesse, which may be wel expounded, cõsidering that man is called a sinner, not only when he transgresseth actually, but after also, vntill the sinne be cancelled, not in regard of the punishments, or other consequences of sinne, but in regard of

the

the preceding tranſgreſſion it ſelfe; as that which maketh a man crooked, vntill hee bee ſtraightned againe; who is ſaid to be ſo, not by an actuall action, but by that effect which remaineth after the action is paſt. Hee compared originall ſinne to crookednesſe, as it is indeede a ſpirituall obliquitie; for the whole nature of man being in *Adam*, when hee made himſelfe crooked by tranſgreſſing the Precept, the whole nature of man, and by conſequent, euery particular perſon remained crooked, not by the curuitie of *Adam*, but by his owne, by which hee is truely crooked and a ſinner, vntill hee bee ſtraightened by the grace of God. Theſe two opinions were diſputed alike; and euery one pretended that his own ſhould be receiued by the Synode. 1546 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

But in the conſideration how originall ſinne was remitted, they agreed all, that it is cancelled by baptiſme, and the ſoule reſtored pure into the ſtate of innocencie, though the puniſhments which follow ſinne bee not remooued, that they may bee an exerciſe for the iuſt. And this all of them expounded by ſaying, that the perfection of *Adam* conſiſted in an infuſed qualitie, which adorned the ſoule, made it perfect and acceptable to God, and exempted the bodie from mortalitie. And God, for the merit of CHRIST, giueth vnto thoſe that are regenerated by baptiſme another qualitie called iuſtifying grace, which wiping out euery blemiſh in the ſoule, maketh it pure, as was that of *Adam*; yea in ſome it worketh greater effects then originall righteouſneſſe, but onely that it worketh no effect in the bodie, whereby mortalitie, and other naturall defects are not remooued. Many places of Saint *Paul* and the other Apoſtles were alleadged, where they ſay, that baptiſme waſheth, cleanſeth, illuminateth and purifieth the ſoule, ſo that no condemnation, ſpot or wrinkle remaineth. It was exactly diſcourſed, how, if the baptiſed haue no ſinne, ſinne can paſſe into their children? Whereunto *Auguſtinus* anſwered with examples onely: as of a circumciſed father the ſonne is borne vncircumciſed, and of a blinde man one that can ſee, and of a pure graine, one clad in ſtraw. *Catarinus* anſwered, that the Couenant was made with *Adam* onely, and that euery one hath ſinne by imputation of that of *Adam*; ſo that the intermediate Parents haue nothing to doe therein: and if the forbidden fruit had beene eaten, not by *Adam*, but by one of his ſonnes, his poſteritie had not ſinned; and if *Adam* had ſinned after hee had begot ſonnes, his ſinne had beene imputed to them though borne before. *Soto* diſputed againſt it, that if *Adam* had ſinned after his ſonnes were borne, thoſe would not haue beene obnoxious vnto it, but their poſteritie ſhould. How originall ſin is remitted

The common voyce was, that the ſixt Article was hereticall, for ſaying there remaineth in the baptized ſomething worthy of death: and the ſeuenth for leauing remainders of ſinne in the baptized: and the eight moſt cleerely, for making concupiſcence a ſinne in the baptiſed. Only *Antoninus Marinarius*, a Carmelite Friar, affirming, as the others, that ſinne is cancelled by baptiſme, and that concupiſcence is before ſinne, yet, for condemning the contrarie of hereſie, hee conſidered that Saint *Auſtin* being olde, writing heereof to *Bonifacius*, ſayd plainely that concupiſcence was not a ſinne but a cauſe, and an effect of ſinne: and writing againſt *Iulianus* hee ſaid in as plaine termes, that it

was

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

was ſinne, and the cauſe, and effect thereof; and yet in his retractations he neuer made mention of either of theſe two contrary propoſitions, becauſe hee thought hee might ſpeake both wayes of it, in regard it was not a matter of faith, the difference being rather verball then otherwiſe. For it is one thing to aske if a thing bee a ſinne, or if it bee a ſinne to a perſon excuſed. As hee that goeth foorth to hunt for things neceſſary for his ſuſtenance, if hee thinke to kill a wilde beaſt, and, by inuincible ignorance, ſlaye a man, the Lawyers ſay that the action is murder, and a ſinne: but the hunter is excuſed, ſo that vnto him it is not, by reaſon of his ignorance. So concupiſcence, beeing the ſame before and after baptiſme, is ſinne in it ſelfe; and Saint *Paul* ſayth, that it reſiſteth the Law of God, euen in the regenerate, and whatſoeuer doth that is ſinne. But hee that is baptized is excuſed, becauſe hee is cladde with CHRIST: ſo that the Article is true one way, and falſe another; and it is not iuſt to condemne a propoſition, which is true in one ſence, without diſtinguiſhing it firſt. This opinion was reiected by all, and it was ſaid that Saint *Auſtin* made two ſortes of concupiſcence; one before baptiſme, which is a repugnancie of the will to the Law of God, which hee ſayd was ſinne, and aboliſhed in Baptiſme; another, which is the repugnancie of the ſence to reaſon, which remaineth after baptiſme, which S. *Auſtin* called the cauſe and effect, but neuer ſinne; and when hee ſeemeth to ſay otherwiſe, it muſt be defended that his minde is, that concupiſcence is a ſinne, which by baptiſme leaueth to be ſo, and becommeth an exerciſe of vertue and good workes. To this opinion of *Soto* they ioyned what he had ſaid in his ſermons, made in the Maſſe on the fourth Sunday of the laſt Aduent, and in that of the Lent, exhorting to repoſe all confidence in God, condemning all truſt in workes, and affirming that the heroicall Actes of the ancients, ſo renowned by men, were truely ſinnes; that hee ſpake of the difference of the Law and the Goſpel, not as of two times, but as if the Goſpel had beene euer, and the Law ought to be euer, and alſo of the certaintie of Grace, though with ambiguous and doubtfull clauſes, for feare they might ſo reprehend him, that hee could not bee defended. This made the Friar ſuſpected by ſome, that he was not wholly auerſe from the Proteſtants doctrine.

Soto is ſuſpected of Lutheraniſme.

When they came to the Article of the puniſhment, though Saint *Auſtin*, grounding himſelfe vpon Saint *Paul*, held expreſly, that the paines of hell fire belonged vnto it, euen in little children, whereunto none of the holy Fathers contradicted, yet the maſter of the ſentences, with the Schoolemen, who follow moſt of all Philoſophicall reaſons, diſtinguiſhed two kindes of eternall puniſhments; one the priuation onely of celeſtiall bleſſednesſe, the other a chaſtiſement: and they aſſigned the firſt onely to originall ſinne. Onely *Gregory* of *Arimini* forſooke the generall opinion of the Schoolemen, who by that meanes gayned the name of *Tormenter of children*. But neither he nor Saint *Auſtin* were defended by the Theologues in the congregations. Yet there was another diuiſion amongſt them. For the *Dominicans* ſayd that children dead, without baptiſme before the vſe of reaſon, remaine after the reſurrection in a *Limbo* and darkeneſſe vnder the earth, but without fire: the *Franciſcans* ſayd they are to remaine vpon the earth, and in light.

A difference betweene the *Franciſcans* & *Dominicans* about *Limbo*.

light. Some affirmed also, that they should bee Philosophers, busying themselues in the knowledge of naturall things, not without that great pleasure which happeneth when curiositie is satisfied by inuention. *Catarinus* sayd further, that they shall bee visited and comforted by the holy Angels and Saints. And in this so many vanities were deliuered, that they might giue great matter of entertainement. But for reuerence of *Austine*, and not to condemne *Gregory* of *Arimini*, the *Augustinians* made great meanes, that the Article, though false, as they thought, might not bee condemned for hereticall; though *Catarinus* imployed all his force to the contrary, to represse (as hee said) the boldnesse and ignorance of some preachers, who, to the great scandall of the people, publish that doctrine, affirming that S. *Austine* had saide so onely in heat of disputation against the Pelagians, and not because he was cleere in that opinion. Whereupon, since the truth is declared to the contrary by common consent of the Schooles, and that the Lutherans haue raised the same errours, and the Catholiques themselues fall into it, the declaration of the Synode is necessary.

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The censure of the Diuines beeing ended, and the points treated of by the Fathers, to resolue vpon the forme of the Decree, the Bishoppes (amongst whom very few had knowledge in Theologie, but were either lawyers or learned men of the Court) were confounded with this scholasticall and crabbed manner of handling the articles; and amongst so many opinions, knew not what to thinke of the essence of originall sinne. That of *Catarinus* was best vnderstood, because it was expressed by a politicall conceit of a bargaine made by one for his posterity, which beeing transgressed, they are all vndoubtedly bound; and many of the Fathers did fauour that. But perceiuing the contradiction of the other Diuines, they durst not receiue it. For remission of the sin, this onely they held to bee cleere, that euery one hath originall sin before baptisme, and is perfectly purged of it by baptisme. Therefore they concluded that this should be established for faith, and the contrary condemned for heresie, together with all those opinions which deny originall sin, in what sort soeuer: but what that sin is, there beeing so many differences amongst the Diuines, they saide it was not possible to set downe so circumspectly, that it might satisfie all, and not condemne some opinion, which might cause a schisme.

The Prelats did scarcely vnderstand the discourses of the Diuines

Marcus Viguerius Bishop of *Sinigaglia*, Friar *Ierom* generall of S. *Austine*, and *Andreas Vega*, a Franciscan Diuine, were opposite to this generall inclination. This last shewed more then the others, that it was not conuenient, nor euer vsed by any Councel, to condemne an opinion for hereticall, without declaring first which is Catholique; that no true negatiue hath in it selfe the cause of its truth, but is so by the truth of an affirmatiue; nor euer any proposition was false, but because another is true; neither can the falsity of the one be knowne, but by him who knoweth the truth of the other. Therefore the opinion of the Lutheranes cannot bee condemned of heresie, vntill the opinion of the Church be set downe. He that shall obserue the maner of proceeding in all Councels, which haue handled matter of faith, will see, that they haue first laide an Orthodoxe foundation, and by that condemned the heresies; and so it is necessary to doe now. For when it shall be read that the

Andreas Vega a Franciscan, opposeth the common inclination to condemne the opinion of the Lutheranes without declaring the opinion of the Catholiques.

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

the Councel of *Trent* hath condemned the Lutheranes, for ſaying originall ſinne is ignorance, contempt, diſtruſt, an hate of heauenly things, and a corruption of the whole man in the will, ſoule and body, who is there that will not demand, what is it then? and will not ſay in himſelfe, if this opinion be hereticall, which is Catholike? And when he ſhal ſee the opinion of *Zuinglius* condemned, that children, the ſonnes of the faithful, are baptized into remiſſion of ſinnes, though nothing bee tranſmitted from *Adam* but the puniſhments, and the corruption of nature, will not ſuddenly aske, what elſe is then tranſmitted? In ſumme, he concluded, that the Councel was aſſembled principally to tell the Catholique truth, not onely to condemne hereſies. The Biſhop ſaid, That theſe Articles hauing beene ſo often diſputed in the Diets of *Germanie*, euery one would expect from the Councell a perſpicuous doctrine, cleered from all difficulties. The Generall alſo, who was ſomewhat ſuſpected to be ſuborned by the Ambaſſador *Toledo*, added, that the true Catholique doctrine of originall ſinne is contained in the writings of S. *Auſtin*; that *Egidius Romanus* had wrote a booke thereof; that whenſoeuer the Fathers would take but a little paines, they might bee able to vnderſtand the truth, and iudge of it; that they ſhould not ſuffer a fame to be ſpread, that in *Trent* that was reſolued in foure daies, which in *Germanie* hath beene ſo long diſcuſſed without concluſion.

The Biſhop of *Sinigaglia*, and Fryar *Ierom*, Generall of the *Auguſtins*, ſpeake to the ſame purpoſe.

Theſe aduertiſements were not hearkned vnto, becauſe the Prelates had no hope, to bee able by ſtudie to bee well informed in the crabbed ſchoole points, neither durſt they goe about to make triall of it; and becauſe the Legats had receiued abſolute command from *Rome* to define this matter in the next ſeſſion, they were conſtrained to auoid the difficulties, eſpecially becauſe the Card. of *Monte* was reſolued to make this great iump by all meanes. And therefore calling vnto him the Generals of the Orders, and the Diuines, *Catarinus* and *Vega*, who ſpake more then the reſt, he charged them to paſſe by the difficulties, and help forward the diſpatch.

The Prelates deputed to frame the decree, with the aſſiſtance of the Diuines, deuided the matter into fiue *Anathematiſmes*. The firſt, of the perſonall ſin of *Adam*: the ſecond, of the transfuſion into poſteritie: the third, of the remedy by baptiſme: the fourth, of the baptiſme of children: the fifth, of concupiſcence remaining. After this, the opinions of the *Zuinglians* were cõdemned in the foure firſt, and of *Luther* in the fifth. They conferred on theſe Articles almoſt all, adding and taking away what they thought fit with much concord, but onely that the Franciſcan Biſhops and Fryars approoued not, that it ſhould be generally ſaid, that the ſinne of *Adam* paſſed into all mankind, becauſe the bleſſed *Virgin*, the mother of our LORD, was comprehended, if ſhe were not particularly excepted; and they deſired the exception. The Dominicans ſaid on the contrarie, that the propoſition ſo generall, and without exception was Saint *Paules*, and all the holy Doctors, and therefore that it was not fit to alter it with an exception; and that contradiction waxing warme, they fell into the queſtion which the Legats had often diuerted. They ſaid, that though the Church had tolerated the opinion of the conception, yet he that would examine the matter well, might find that ſhe was not exempted from the common infection. And the others oppoſed,

The Franciſcans deſire that the Virgin *Marie* ſhould be excepted.

sed, that it would be as much as to condemne the Church, who celebrateth the conception as immaculate, and a kinde of ingratitude, derogating from the honour due vnto her, by whom all the graces of CHRIST passe vnto vs. The disputations turned into contention, so farre, that the Emperours Ambassadour had hope to obtaine his desigue, that the matter might not be proposed in the next Session.

1546
PAVL 3.
CHARLES 5.
HENRIE 8.
FRANCIS 1.

Many things were proposed vpon that occasion, which caused them to proceede to the Decree, which shall bee rehearsed; which because it afforded matter of discourse, for the entire vnderstanding of all, it is necessarie to relate from the beginning the originall of this controuersie. After that the impietie of *Nestorius* had diuided CHRIST, making two sonnes, and denying him to be God who was borne of the blessed *Virgin*, the Church, to inculcate the Catholike truth in the mindes of the faithfull, made often mention of her in the Churches as well of the East as of the West, with this short forme of words in Greeke, *Maria* ..., in Latin, *Maria mater Dei*. This being instituted onely for the honour of CHRIST, was by little and little communicated also to the mother, and finally applied to her alone; and therefore when images began to multiplie, CHRIST was painted as a babe in his mothers armes, to put vs in minde of the worship due vnto him, euen in that age. But in progresse of time, it was turned into the worship of the mother without the sonne, hee remayning as an appender in the picture. The writers and Preachers, especially those that were contemplatiue, caried with the torrent of the vulgar, which is able to do much in these matters, leauing to mention CHRIST, inuented with one accord new praises, Epithites, and religious seruices, in so much that about the yeere 1050. a dayly *Office* was instituted to the blessed Virgin, distinguished by seuen Canonical houres, in a forme which anciently was euer vsed to the honour of the Diuine Maiestie, and in the next hundred yeeres, the worship so increased, that it came to the height, euen to attribute that vnto her, which the Scriptures speake of the Diuine wisedome. And amongst these inuented nouities this was one, her totall exemption from originall sinne. Yet this remained onely in the breasts of some few priuate men, hauing no place in Ecclesiasticall ceremonies, or amongst the learned. About the yeere 1136. the Canons of *Lions* dared to bring it vnto the Ecclesiasticall *Offices*: Saint *Bernard*, who liued in those times, esteemed the most learned and pious of that age, who was most frequent in the praises of the blessed *Virgin*, so farre as to call her the necke of the Church, by which euery grace and influence passeth from the head, inueighed seuerely against the Canons, and wrote vnto them, reprehending them for introducing a dangerous nouitie without reason, or example of antiquitie; that there want not places to praise the *Virgin*, who cannot bee pleased with a presumptuous nouitie, mother of rashnesse, sister of superstition, daughter of lightnesse. The next age had Schoole-Doctors, of both the orders Franciscan and Dominican, who in their writings refuted this opinion, vntill about the yeere 1300. when *Iohn Scot*, a Franciscan, putting the matter into disputation, and examining the reasons, did flie to the omnipotencie, saying that God had power to free her from sinne, or to cause sinne to remaine in her onely for an instant, or for a certaine time: that God only

A discourse of the Author to shew how the blessed *Virgin* came to bee worshipped.

Note this

knoweth

1546
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

knoweth which of these three is true; yet it is probable to attribute the first to *Marie*, in case it bee not repugnant to the authoritie of the Church, and of the Scripture. The doctrine of this famous Diuine was followed by the Franciscan order. But in the particular of the conception, seeing the way laide open, they affirmed absolutely for true, that which hee had proposed as possible and probable, vnder this doubtfull condition, *if it bee not repugnant to the Orthodoxe Faith.* The Dominicans did constantly resist, and followed Saint *Thomas*, one of their order, famous for his learning, and for the approbation of Pope *Iohn* the two and twentieth, who, to depresse the Franciscans, who did for the most part adhere to the Emperour *Lewis* of *Bauarie*, excommunicated by him, did canonize that Doctour and his doctrine. The shew of Pietie and deuotion made the Franciscan opinion generally more accepted, and more tenaciously receiued by the Vniuersitie of *Paris*, which was in credit for eminent learning; and after long ventilation and discussion, was afterwards approoued by the Councell of *Basil*, which forbade to preach and teach the contrarie. This tooke place in those Countreys which receiued the Councell. Finally Pope *Sixtus* the fourth, a Franciscan, made two Bulles in this matter; one in the yeere one thousand foure hundred seuentie sixe, approouing a new *Office*, composed by *Leonard Nogarola Protonotarie*, with Indulgences to him that did celebrate it, or assist: the other in the yeere one thousand foure hundred eightie three, condemning the assertion, as false and erronious, that it is heresie to holde the conception, or a sinne to celebrate it, excommunicating the Preachers and others who noted that opinion of heresie, or the contrarie, because it was not as yet decided by the Church of *Rome* and the Apostolike Sea. But this did not appease the contentions, which betweene the two orders of Friars still waxed sharper, and were renewed euery yeere in December; so that Pope *Leo* the tenth thinking to giue a remedie by deferring the controuersie, made letters bee written vnto diuers. But afterwards hee had more important cogitations, by reason of the nouities of *Germanie*, which in these contentions, wrought that which happeneth in States, that the Citie beeing beleaguered, the factions doe cease, and all ioyne against the common enemie. The Dominicans grounded themselues vpon the Scripture, the doctrine of the fathers, and the most ancient Schoole-men, where not one iot was found in fauour of the others; but they alleadged for themselues miracles, and contentment of the people. *Iohn* of *Vdine*, a Dominican Friar, sayde, either you will that Saint *Paul* and the Fathers haue beleeued this exemption of the *Virgine* from the common condition, or not. If they haue beleeued it, and yet haue spoken generally, without euer making mention of this exception, imitate them also now. But if they haue beleeued the contrarie, your opinion is a nouitie. *Ierolamus Lombardellus*, a Franciscan Friar, sayde, that the authoritie of the present Church, was no lesse then that of the Primitiue; if the consent of that in those times made men speake without exception, the consent of this, which appeareth in celebrating the Feast throughout, ought to induce vs not to omit it.

S. *Thomas* is canonized by Pope *Iohn* the 22. to disgrace the Franciscans.

The

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The Legate wrote to *Rome* of the marueilous agreement of all against the Lutheran doctrine, and the resolution taken to condemne it, and sent a copie of the *Anathematismes* framed, giuing aduise withall of the contention raised about the conception. Whereunto it was answered from *Rome*, that by no meanes they should meddle with a matter, which may cause a schisme betweene Catholikes, but should striue to reconcile the parties, and giue them both satisfaction, and aboue all to preserue in strength the briefe of *Sistus* 4. The Legates hauing receiued the order, did by them selues, and by the wiser sort of Prelates perswade both parties to lay aside the contentions, and apply themselues iointly against the *Lutherans*. They were on both sides contented to be silent, so that their opinion were not preiudiced: yet the *Franciscans* said that the *Canon* was against them if the *Virgin* were not excepted, and the *Dominicans* that they were condemned if shee were. It was necessary to finde a way how it might bee declared that shee was neither comprehended, nor affirmatiuely excepted; which was by saying, they had no intention either to comprehend or except her. Afterwards at the great instance of the *Franciscans*, the others were content it should bee said onely they had no meaning to comprehend her. And to obey the Pope it was added, that the constitutions of *Sistus* 4. should be obserued.

The Pope commandeth that the contention about the conception should bee omitted for feare of making a schisme

While these things are handled in *Trent*, the Diet being assembled in *Ratisbon*, the Emperour shewed great displeasure that the Colloquie was dissolued without fruit, and required that euery one should propose what hee thought fit to appease *Germanie*. The Protestants desired that the difference of Religion might bee composed, according to the *Receesse* of *Spira*, by a nationall Councell, saying, it was more fit then a generall, because by reason of the great difference in opinions betweene *Germanie* and other Nations, it is impossible to auoide the raising of a greater contention: and whosoeuer wil enforce *Germany* to change opinion, must first slay many thousands of men; which would be a dammage to the Emperour, and a ioy to the Turkes. The Emperors ministers answered, that his Maiestie was not the cause why the Decree of *Spira* was not executed; and that it was knowen vnto all, that, to make so necessary a peace with the French King, hee was constrained to yeeld to the Pope in matters of Religion; that the Decree was fitted to the necessities of that time, which being changed, it was also necessarie to change opinion; that in National Councels somtimes maners are amended, but Faith and Religion neuer handled; that in Colloquies one hath to doe with Theologues, who, for the most part are vntractable & obstinate; so that with them one cannot come to such moderate counsels as is necessary; that none loued Religion more then the Emperor, who would not swarue one iote from that which is iust and honest, to please the Pope: but he knew wel, that in a National Councel he should neither be able to reconcile the parties, nor find whom to make iudge. The Ambassadour of *Mentz* and *Triers* diuided themselues from the other foure, and beeing vnited with all the Catholikes, approoued the Tridentine Councell; and besought *Cæsar* to protect it, and to perswade the Protestants to goe thither and submit themselues vnto it. They answered that the Councell in *Trent* was not free, as was demanded and promised in the Imperial Diets: they desired againe that the Emperour would obserue

The Diet of *Ratisbon*.

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

the peace, and ordaine that Religion might me eſtabliſhed in a lawfull Councell of *Germanie*, or an Imperiall Diet, or a Colloquie of learned men on both ſides.

The prouiſions for warre againſt the Proteſtants can no longer be concealed.

In this Interim, the Emperour had made ſecret prouiſion for warre, which not being able longer to conceale, it was knowen to the Proteſtants in the Diet; and becauſe peace was concluded with the French King, and truce with the Turke, euery one did eaſily perceiue the cauſe: eſpecially for that a fame was ſpread, that the Pope alſo, and *Ferdinand* did arme, whereby all was in confuſion. And the Emperour ſeeing hee was diſcouered, the ninth of Iune ſent the Cardinall of *Trent* Poſt to *Rome*, to demand of the Pope the ſuccours hee promiſed, and ſent Captaines with money into *Italie* and *Flanders* to leuie Souldiers, and ſollicited the Princes, and Proteſtant German Captaines, not combined with thoſe of the league of *Smalcalda*, to follow his Colours, affirming, and promiſing hee would not make warre for Religion, but ſuppreſſe the rebellion of ſome, who, vnder that pretence, would not acknowledge the Lawes, nor the Maieſtie of the Prince. By this promiſe he quieted many of the Cities, who before had receiued the renouation in the Rites of the Church, promiſing all beneuolence to the obedient, and ſecuritie for their Religion.

But in the Councell there being no more difference amongſt the Fathers concerning the things diſcuſſed, and the decrees of faith and reformation beeing framed, the Emperours Ambaſſadour, being not able any longer to reſiſt the Legates reſolution, the ſeuenteenth of Iune beeing come, the day appointed for the Seſſion, *Alexander Pichalhomini*, Biſhop of *Piaccenza*, ſang Maſſe: *Marcus Laureus*, a Dominican Friar, preached: and when the vſuall ceremonies were ended, the decree of faith, with fiue *Anathematiſmes*, was read. 1. Againſt him that confeſſeth not, that *Adam*, by tranſgreſſing, hath loſt ſanctitie and iuſtice, incurred the wrath of God, death and thraldome to the Deuill; and is infected in ſoule and body. 2. Againſt him that auerreth that *Adam* by ſinning hath hurt himſelfe onely, or hath deriued into his poſteritie the death onely of the body, and not ſinne, the death of the ſoule. 3. Againſt him that affirmeth that ſinne, which is one in the beginning, and proper to euery one, tranſmitted by generation, not imitation, can bee aboliſhed by any other remedie then the death of CHRIST: or denieth that the merit of CHRIST is applied as well to children, as to thoſe that bee of ripe yeeres, by the Sacrament of Baptiſme, miniſtred in the forme and rite of the Church. 4. Againſt him that denieth that children which are newly borne ought to be baptized, though the ſonnes of Chriſtians; or ſaith, they are baptized for remiſſion of ſinnes, but not becauſe they haue contracted any originall ſinne from *Adam*. 5. Againſt him that denieth that by the grace of Baptiſme the guilt of originall ſinne is remitted, or ſaith that all is not remoued which hath the true and proper nature of ſinne, but that it is razed and not imputed, concupiſcence ſtill remaining in the baptized for an exerciſe, which cannot hurt but him that conſenteth to it: the which beeing called ſinne by the Apoſtle, the Synod declareth that it is no true and proper ſinne, but is ſo termed becauſe it ariſeth from ſinne, and inclineth to it. That the Synod meaneth not to comprehend in the decree the bleſſed *Virgin*, but that

The Decree of faith with 5. anathematiſmes is read in the Seſſion

the

the constitutions of *Sixtus 4.* ought to be obserued, which it doth renew. 1546

The Decree of the reformation contayneth two parts; one in matter of the Lectures, the other of the Sermons. For the Lectures it was ordered, that in the Churches where there is a stipend allotted for reading Diuinitie, the Bishop should prouide that the holy Scripture should be read by the Stipendary, if he be fit, and not being fit, the Bishop should deputes substitute, to performe the charge: but for hereafter that the benefice should not bee conferred but vpon a sufficient person. That in the Cathedrall Churches of populous Cities, and collegiate Churches of great Castles, where no such stipend is assigned, the first Prebend that falleth void, should be applyed to that vse, or some simple benefice, or a contribution of all benefited men, to institute the Lecture. That in poore Churches, there should be at the least a Master to teach Grammer, who shall enioy the fruits of some simple benefice, or haue a stipend from the Capitular or Episcopall table, or the Bishop shall finde some other way to effect it. That in the Cloysters of Monkes there should be a Diuinitie Lecture, if it may be, wherein if the Abbats shall be negligent, they shall bee constrained to doe it, by the Bishop as the Popes Delegate. That in the Conuents of the Regulars, there should bee deputed Masters of sufficiency to performe this charge. That in publique studies, where a Diuinitie Lecture is not instituted, it shall bee instituted by the charity and piety of Princes, and Republiques; and where it hath beene instituted and neglected, it shall be restored. That none shall be made a Lecturer, either publike or priuate, before hee bee approoued by the Bishop, as fit for his life, manners, and knowledge, except those that read in the Cloysters of Monkes. That the priuiledges granted by law, to publique Readers in Diuinity, and schollers, for the enioying of the fruits of their benefices, in their absence shall be preserued.

PAVL 3. CHARLES 5.

HENRY 8. FRANCIS 1.

The Decree of reformation.

Concerning Sermons the Decree containeth, that the Bishops and Prelates be bound, if they be not hindered, to preach the Gospel in person, and if they bee, to substitute men of sufficiency. That the inferiour Curates ought to teach things necessary to saluation, either by themselues, or others; at the least on Sundayes and solemne Feasts: whereunto they shall bee constrained by the Bishops, any exemption notwithstanding. And the Curates of the Parishes subiect to Monasteries, which are in no diocesse, shall be constrained to the same by the Metropolitanes, as Delegates of the Pope, in case the Regular Prelate shall be negligent. That the Regulars shall not preach, except they be approoued, for their life, maners, and knowledge, by their superiours: and in the Churches of their Order, they shall demand the benediction of the Bishop before the Sermon begin: but in other Churches they shall not preach without the Bishops licence, which shall be giuen them *gratis*. If the Preacher sow errours or scandals, the Bishop shall prohibite him; if heresies, he shall proceed against him according to law and custome: and if the Preacher bee a priuiledged person, hee shall doe it as delegate; yet taking care that the Preachers bee not molested by false imputations, and calumnies, and haue no cause to complaine of them. That they permit not that either Regulars who liue out of Cloysters, or secular Priests, except they be knowne and allowed by them, doe preach vntill an account be giuen

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

thereof to the Pope. That the Pardoners shall not preach, nor cause any to preach, and in case they doe, they shall be compelled to obey by the Bishop, notwithstanding the priuiledges. In fine, the 29. of Iulie was assigned for the next Session.

(?) The 29. of Iuly is appointed for the next Session.

The Decrees beeing pronounced by the Bishop that saide Masse, the Secretary of the Councel read the letters of the French King, in which hee deputed for his Ambassador in the Councel *Peter Damesius*; who made a long and eloquent Oration to the Fathers; saying in substance. That the Kingdome of *France*, since the first most Christian King *Clodoueus*, hath alwayes preserued Christian religion most sincere. That S. *Gregory* the first gaue the title of Catholique to *Childebert*, in token of his incorrupt religion. That the Kings haue neuer suffered any sect in any part of *France*, nor any but Catholiques; yea haue procured the conuersion of Strangers, Idolaters, and Heretiques, and haue constrained them with pious armes to professe the true and sound religion. Hee shewed how *Childebert* compelled the Visigothes, who were Arianes, to ioyne themselues with the Catholique Church: and how *Charles* the Great made warre thirty yeeres with the Saxons, to reduce them to Christian religion. Then he declared the fauors done to the Church of *Rome*. He recounted the enterprises of *Pipin* and *Charles* the Great against the Lumbards; and how, in a Synode of Bishops, it was granted by *Adrian* to *Charles*, to create the Pope, and to approoue the Bishops of his Dominion, and inuest them after they had receiued the oath of fidelity. He added, that though his son *Ludouicus Pius*, surrendred that authority to create the Pope, yet he reserued that Legats should be sent vnto him, to preserue amitie, which hath beene euer maintayned with mutuall offices. For which confidence, the Popes, in times of difficulty, either chased out of their Sea, or fearing sedition, haue retired themselues into that Kingdome. That it cannot bee told how many dangers the French men haue runne, and how much money and bloud they haue spent, to enlarge the lists of the Christian Empire, or to recouer that which hath bene vsurped by the Barbarians, or to restore the Popes, or to deliuer them from danger. Hee added, that King *Francis* descending from these, in the beginning of his raigne, after the victory atchieued in *Lumbardy*, did, with the same piety, goe to *Bolonia*, to meet *Leo* the tenth, to confirme a peace with him; which hath continued with *Adrian*, *Clement*, and *Paul*: and in these 26. yeeres the points of faith beeing brought into great ambiguities in diuers regions, hee hath taken most exact care, that nothing should be innouated in the common Ecclesiasticall vse, but all reserued to the publique censures of the Church. And though hee bee of a quiet, pleasing, and not bloudy disposition, yet hee hath vsed seuerity, and made grieuous Edicts; and hath brought to passe, by the diligence and vigilancie of his Iudges, that in so great a tempest, which hath subuerted many Cities, and whole Nations, that most noble Kingdome should not be shaken, in which the ancient doctrine, rites, ceremonies, and manners, doe remaine: so that the Councel might ordaine what they thought to bee true and fitte for the Christian Common-wealth. He said further, that the King knew how profitable it was to Christendome, to haue the Pope for *Head*, and that, beeing tempted and inuited, with most gainefull profers, to follow the example of another,

Peter Dauesius is Ambassador for the French King, and maketh an Oration in the Session.

another, would not forsake his opinion, and thereby hath lost his neighbors loue, with some disaduantage. That vnderstanding the Conuocation of the Councel, hee presently sent some of his Bishops, and when hee saw it went on in earnest, and that the authority thereof was established by many Sessions, he hath sent him for his Ambassadour, to assist them, and to procure, that at the last, they would constitute and propose the doctrine which ought euery where to bee professed by all Christians, and rectifie the Ecclesiasticall discipline, by the square of the Canons; promising that the most Christian King will cause all to be obserued in his kingdome, and protect the decrees of the Councell. Then he added, that, the merits of the French King being so great, his priuiledges, granted by the ancient Fathers and Popes, ought to be preserued, which *Ludouicus Pius*, & all the Kings of *France* since haue possessed: and the rights, priuiledges, and immunities confirmed to the Churches of *France*, of which hee is defender. Which, if the Councell will doe, the French-men will be thankfull, and the Fathers will not repent them of their deede.

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

Hercules Seuerollo, Proctour of the Councell, briefely answered, in the name of the Synod, thanking the King, shewing that the Ambassadors presence was most acceptable, promising all diligence in the establishing of faith, and reformation of manners, offering all fauour to the kingdome and Church of *France*.

And is answered by *Hercules Seuerollo*.

But the Decrees of the Session being printed, and gone into *Germanie*, afforded matter of discourse. It was said that the *Pelagian* impietie was superfluously handled, being by so many Councels, and the common consent of the Church, more then a thousand yeeres since, condemned; that it had beene tolerable if the ancient doctrine had beene confirmed; that in conformitie vnto it, they had well proposed a true vniuersall proposition, by saying that the sinne of *Adam* did passe into all his posterity, but after had destroyed it, by an exception; that it helped thē not, that the exception was not assertiue, but ambiguous: for as one particular maketh false the contradictorie vniuersall, so one ambiguous particular, maketh the vniuersall vncertaine. And who seeth not that so long as this exception remaineth, though with ambiguitie, euery one may conclude, that it is not certaine that sinne is passed into all the posterity, because it is not certaine whether it be passed into the *Virgin*: and the rather, because the reason which perswadeth that exception, may perswade many more. That *Bernard* concluded well, that the same reason which induced to celebrate the *Conception* of the *Virgin*, will conclude the like for her father and mother, Grand-fathers, and great Grand-fathers, and all her Genealogie since *Adam*. But when they came to *Abraham* they should goe no further; because there is great reason to exempt from originall sinne none but him. For vnto him the promise of the Redeemer was made; CHRIST is euer called the seed of *Abraham*, and *Abraham* the Father of CHRIST, and of all that beleeue, a paterne of the faithfull. These be greater dignities then to beare CHRIST in the belly; according to that diuine answere, that the *Virgin* was more blessed in hauing heard the word of GOD, then in hauing borne CHRIST, and giuen him sucke. And he that will not for preheminencie except *Abraham*, but onely esteeme for sound the

The censure of the decrees in *Germanie*.

ancient

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

ancient reason, that CHRIST is without sinne, because he was borne of the holy Ghost, without the seed of man, will say it is better to follow the Councell of the Wise man, and containe ones selfe within the bounds set downe by the Fathers. They added, that the world was much bound to the Councell, for being contented to say that it confesseth, and thinketh that concupiscence remaineth in the baptized; or else men would be compelled to deny to feele that which they doe. In the decree of reformation, it was expected that order should haue beene taken with the schoole-men and Canonists: with these for giuing diuine proprieties to the Pope, euen to call him God, attributing vnto him infallibilitie, and making the same tribunal of both, saying also, that hee is more mercifull then CHRIST: with the Schoole-men, who leauing the Scripture, or making it all doubtfull, haue made *Aristotles* Philosophy the foundation of Theologie, euen making a question whether there bea GOD, and disputing of it on both sides. It seemed strange that it was vnknowne vntill then, that to preach was the office of Bishops: that the abuse of preaching vanities, or any thing but CHRIST was not remooued; that prouision was made against the open merchandizing of Preachers vnder the name of almes. Newes being come of these decrees to the Emperours Court, it was taken in ill part that light matters, not required by *Germanie*, were handled, and that in matter of faith the disputes were awaked by the decree. For the controuersie of originall sinne, being almost agreed in the Colloquies, from the Councell, from whence composition was expected, a decree did proceed against the things accorded: and it was written in the Emperours name, to his Ministers in *Trent*, that they should promote the reformation, and endeauour that the controuersie of faith should be deferred vntill the Protestants came, whom the Emperour was perswaded hee could bring thither; or, at least, vntill the Prelates of *Germanie* did arriue, who would put themselues into the iourney, so soone as the Diet was ended. But they talked but a little while of these affaires of the Councell; because other accidents hapned, which drew all mens eyes and minds vnto them.

The Decrees are disliked in the Emperors Court.

For in *Rome* the 26. of Iune, the Cardinall of *Trent* concluded a league betweene the Pope and Emperour, against the Protestants of *Germanie*, the treaty whereof was begun the yeere before in *Wormes*, by Cardinall *Farnese*, as hath beene said, and afterwards continued by other Ministers. The causes alleadged, and the conditions were; because *Germanie* had a long time perseuered in heresie, for remedy whereof the Councell was assembled in *Trent*, and already begun, whereunto the Protestants refusing to submit, the Pope and Emperour, for the glory of GOD, and safety of *Germanie*, doe agree, that the Emperour shall take armes against those that refuse it, and reduce them to the obedience of the holy Sea: and for this, the Pope shall lay in *Venice* an hundred thousand crownes in trust, beside the hundred thousand laid there already, to be spent in this vse onely, and shall send to the war at his owne charges, twelue thousand Italian foote, and fiue hundred light horse, for sixe moneths, shall giue the Emperour for this yeere, halfe the rents of the Churches of *Spaine*, and power to alienate, of the reuenewes of the Monasteries of those kingdomes, to the valew of fiue hundred thousand crownes: that, during the sixe moneths, the Emperour shall not make an accord

The Cardinal of *Trent* concludeth a league the 26. of Iune betweene the Pope and the Emperor, against the Protestants.

The causes and capitulations of this league.

cord with the Proteſtants without the Pope, who alſo ſhall haue a certaine portion of whatſoeuer is gained by the war; and if the war continue longer, new capitulations, which ſhall ſeeme fit to both parties, ſhall be treated on: and place ſhall be left for others to enter into the league, bearing part of the charges, and receiuing part of the profits. There was one capitulation apart, which was kept ſecret, concerning the French King, that if any Chriſtian Prince, during the warre, did mooue armes againſt the Emperour, the Pope ſhould bee bound to perſecute him with ſpirituall and temporall forces. 1546 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

A few dayes after the Pope wrote to the Suiſſes, inuiting them to aſſiſt him; firſt ſhewing in ample termes his beneuolence towards them, and the griefe hee felt for that ſome of them had eſtranged themſelues from his obedience: and thanking God for thoſe who perſeuered, and commending them all, for that, in this difference of religion, they kept themſelues in peace, whereas in other places diuers tumults did ariſe for the ſame cauſe, he added, that, to prouide, againſt them, hee had ordained the Councell in *Trent*, hoping that no man would refuſe to ſubmit himſelfe: and hee was aſſured that thoſe amongſt them, who vntill then perſeuered in the Apoſtolicall obedience, will obey the Councell, and the others not contemne it. Hee inuited them alſo to come thither, complayning that many in *Germanie*, who are called Princes, did proudly diſdaine and deſpiſe the Councell, whoſe authority is rather Diuine then humane. This hath compelled him to thinke of force and armes. And becauſe it hath happened that the Emperour hath made the ſame reſolution, hee hath beene conſtrained to ioyne with him, and aſſiſt him, with his owne and the Churches powre, to reſtore religion by warre. That hee was willing to ſignifie his purpoſe and minde vnto them, that they may ioyne their prayers with him, render the ancient honour to the Church of *Rome*, and aſſiſt him in ſo pious a cauſe. The Pope writeth to the *Swiſſes*.

But the Emperour made ſhew he vndertooke the warre, not for religion, but for matters of State; for that ſome denied him obedience, plotted with ſtrangers againſt him, and refuſing to obey the lawes, vſurped the poſſeſſions of others, eſpecially the Churches, going about to make Biſhoprikes and Abbacies hereditarie; and that hauing prooued diuers gentle meanes to reduce them, they euer became more inſolent. The Emperor would not haue it thought that this warre is made for religion.

On the other ſide the Proteſtants laboured to make manifeſt to the world, that all proceeded from the inſtigation of the Pope, and of the Councell of *Trent*. They put the Emperour in minde of the Capitulations which hee ſwore in *Francfurt*, when hee was created Emperour; and they made proteſtation of the iniurie. But many of the Proteſtants kept themſelues on his ſide, becauſe they could not beleeue, that hee had any other reſpects then of State. And the Arch-biſhop of *Collen* (of whom wee haue ſpoken before) who, though hee were ſentenced, and depriued by the Pope, continued in gouernement, and was obeyed by his people, followed the Emperour; who alſo acknowledged him for Elector, and Arch-biſhop, and wrote vnto him, that none of his Subiects might beare armes againſt him: wherein the Arch-biſhop imployed his indeuours ſincerely. And the Proteſtants ſhew the contrary. The Arch-b. of *Collen* ſentenced by the Pope is obeyed by his people, & followeth the Emperour.

The

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1

The Elector of *Saxonie* nnd the *Landgraue* of *Hassia* publish a *Manifest* against the Emperour.

The Elector of *Saxonie*, and the *Landgraue* seeing this, they published a *Manifest* the eleuenth of Iuly, declaring that the warre was vndertaken for Religion, and that the Emperour couered his meaning with the cloake of taking reuenge against some few for rebellion, to disioine the confederates, and oppresse them by degrees. They alleadged that *Ferdinand* and *Granuell*, and other ministers of his Maiestie, had said, that the cause of this warre was the contempt of the Councell; they called to minde the Popes sentence against the Elector of *Collen*; they added, that the Spanish Prelates would not haue contributed so much of their proper reuenewes for any other cause; they shewed that in other things the Emperour could pretend nothing against them.

Iustification is to be handled, in the next place.

But while the Pope and Emperour prepared against the Lutherans some thing beside *Anathematismes*, the day after the Session, the eighteenth of Iune, a Congregation was made; where after the accustomed prayers and inuocation of the holy Ghost, the Secretary read, in the Legates name, a writing, framed by the principal Theologues, in which it was proposed, that hauing, by diuine inspiration, condemned the heresies concerning originall sinne, the order of the things to bee handled did require, that the doctrine of the modernes, in the point of diuine grace, which is the medicine of sinne, should be examined; and that the rather it was fit to follow the order, because it was obserued by the *Augustane* Confession; all which the Councell meaneth to condemne. And the Fathers and Diuines were intreated to haue recourse by prayer vnto the diuine assistance, and to bee assiduous, and exact in their studies, because all the errours of *Martin* were resolued into that point. For hauing vndertaken from the beginning to oppugne the Indulgences, he saw hee could not obtaine his purpose, except hee destroyed the workes of repentance, in defect whereof Indulgences doe succeede. And iustification by faith onely, a thing neuer heard of before, seemed to him a good meanes to effect this; from whence hee hath collected not onely that good workes are not necessary, but also that a dissolute libertie in obseruing the Law of GOD, and of the Church, will serue the turne: hath denied efficiencie in the Sacraments, authoritie of Priests, Purgatorie, sacrifice of the Masse, and all other remedies for remission of sinnes. Therefore by a contrary way, hee that will establish the bodie of the Catholike doctrine, must ouerthrow this heresie of iustice by faith only, and condemne the blasphemies of that enemie of good workes.

When the writing was read, the Emperours Prelates said, that the more principall and important the point propосed was, it should bee the more maturely, and opportunely handled; that the sending of the Cardinall *Madruccio* to the Pope shewed, that some businesse was on foote, the which it was not fit to disturbe, but in the meane space to handle some thing of the reformation. The Papalins did, on the other side, inculcate, that it was no honour to interrupt the order begun, to handle together, in euery Session, doctrine and reformation, and that after originall sinne no other matter could be handled. The Legates, hauing heard all their opinions, concluded that to discusse the points, and prepare them, was not to define them, but that they could not be determined without preparation before. (Which they said

said onely to gaine time, and after to put themselues in order, to execute what should bee resolued at *Rome*, betweene the Pope and the Cardinall, in the Emperours name. That to digest that matter, was not to hinder the reformation, because in that the Diuines would bee imployed, and in this the Fathers and Canonists. With this resolution it was concluded, that the Articles to bee discussed and censured, should bee collected out of the bookes of *Luther*, out of the Colloquies, apologies, and out of the writings of the Lutherans and Fathers. And three Fathers, and as many Diuines were deputed to set downe what should bee discussed, and to frame the Articles.

1546
PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

The next Congregation was held to order the matter of Reformation; where the Cardinall of *Monte* said, that the world hath complayned long since, of the absence of Prelates and Pastours, dayly demanding residence: that the absence of the Prelates and other Curats from their Churches, is the cause of all the mischiefes of the Church. For the Church may bee compared to a ship, the sinking whereof is ascribed to the absent Pilot, that should gouerne it, if he were present. He shewed to them, that heresies, ignorance, and dissolution doe reigne in the people, and bad manners and vices in the Clergie, because the Pastours beeing absent from the flocke, no man hath care to instruct those, or correct these. By the Prelates absence it is come to passe, that ignorant and vnworthy Ministers haue beene promoted, and persons assumed to Bishoprikes, that were more fit for any other charge; for in regard they needs not execute the ducty in person, no fitnesse is necessary. So he concluded, that to establish the point of residencie, was a generall remedy for all the maladies of the Church; which also hath sometimes beene vsed by Councels and Popes; but either for that the transgressions were then but few, or for some other cause, it was not applied with such strong and straite bonds, as is necessary now that the disease is come to the height: that is with a more seuere commandement, with more grieuous and fearefull punishments, and by meanes more easie to be executed.

The discourse of the Card. *Monte* concerning residencie.

This was approoued by the first voices of the Prelates. But when *Iacomo Corteſi*, a Florentin, Bishop of *Veſone*, was to speake, commending what had beene said by others, he added, that as hee beleeued that the presence of the Prelats and Curats in times past, was the cause of maintayning purity of faith in the people, and discipline in the Clergie, so hee could cleerely shew, that their absence in these latter times, hath not beene the cause of the contrary subuersion, and that the custome of not residing hath beene brought in, because residence hath beene wholy vnprofitable. For the Bishops could not then preserue sound doctrine amongst the people, when the Friars and Pardoners had authoritie to preach against their wills. It is well knowen that the innouation in *Germany* sprang from the Sermons of Friar *Iohn Techel*, and of Friar *Martin Luther*; amongst the Suisses from the Sermons of Friar *Samson* of *Milan*. And the residing Bishop was able to doe nothing, but fight with disaduantage, against these, who were armed with priuiledges. The Bishop is not able to make the Clergie liue honestly, for that, besides the generall exemption of all the Regulars, euery Chapter hath one, and there bee few particular Priests that want an. The Bishop cannot prouide that fit men

The Bishop of *Veſon* speaketh in fauour of non-residency.

bee

1546
Pavl 3.
Charles 5.
Henrie 8.
Francis 1.

bee promoted to that charge, for the licences to promote, and the faculties which the tirular Bishops enioy, who suffer him not to vse so much as the ministery of the *Pontificals*. And it may be said in one word, that the Bishops doe not reside, because they haue nothing to doe, or rather that they may not make greater inconueniences to arise, which would happen by their concurrence, and contention with priuiledged men. He concluded, that as he thought it fit to restore residency, so they ought to treat how to restore the Episcopall authoritie. The Bishops that spake after this Prelate followed his opinion, that it was necessary to commaund residency, and to remoue the exemptions which do hinder it. And the Legats were enforced to cōsent, that both should be considered of, and that euery one speake his opinion of them, and that some Fathers should be deputed to frame the Decree, that it might be examined.

The Deputies for collecting the articles dissent about the manner of proceeding.

The Deputies for collecting the Articles of iustification, hauing receiued the extracts of the propositions noted by euery one to be censured, were not all of one opinion. One part desired that foure or sixe fundamentall Articles of the new doctrine might bee chosen, and condemned, as was done in the matter of originall sinne; alleadging that it was fit to follow the stile begun, and the example of the ancient Councels, which, hauing declared the principall Article, condemned the heresie, neuer descending to particular propositions, but condemning the bookes of the heretiques, in that vniuersall they comprehended all the pernicious doctrine; and so the honour of the Councell required. But the other part, aymed to put vnder censure all the propositions, which might receiue a bad construction, that those might be condemned, which in reason did deserue it: saying, that it was the office of a Pastor to discerne intirely the wholesome grasse from the hurtfull, and not to suffer the flocke to taste of this. And if the example of ancient Councels ought to be imitated, they should imitate that of *Ephesus*, which made so many, and so famous *Anathematismes* against the doctrine of *Nestorius*, that they did containe whatsoeuer the heretique had saide; and the Councels of *Africa*, which descend to the condemnation of all the propositions of the sectes.

25. Articles concerning iustification.

The first opinion did vndoubtedly propose a more easie way, and would haue pleased whosoeuer desired a speedy end of the Councell, and left a chinke open for agreement, which future times might produce. Yet the second was embraced, which said it was good to examine all the propositions of the Lutheran doctrine, to censure and condemne that, which, after mature deliberation, should seeme necessarie and conuenient. And 25. Articles were framed. 1. Faith, without workes, is sufficient to saluation, and alone doth iustifie. 2. Iustifying faith is a sure trust, by which one beleeueth that his sinnes are remitted for Christ; and those that are iustified are bound to beleeue certainely that their sinnes are remitted. 3. By faith onely weeare able to appeare before God, who neither regardeth, nor hath needc of our workes: faith onely making vs pure, and worthy to receiue the Eucharist, beleeuing that in it wee shall receiue grace. 4 Those that doe honest things, without the holy Ghost, do sinne, for that they do them with a wicked heart, and it is sinne to keepe the Commandements of God without

our

out faith. 5. The best repentance is a new life, and the repentance of the life past is not necessary, neither doth the repentance of actuall sinnes dispose vs to receiue grace. 6. No disposition is necessary to iustification; neither doeth faith iustifie because it disposeth vs, but because it is a meanes or instrument, by which the promise and grace of God is laide holde on, and receiued. 7. The feare of hell helpeth not in gayning of iustice; yea hurteth, and is sinne, and maketh the sinners worse. 8. Contrition which ariseth from the discussion, calling to minde, and detestation of sinnes, weighing the grieuousnesse, multitude, and filthinesse of them, or the losse of eternall happinesse, and gaine of perpetuall damnation, maketh a man an hypocrite, and a greater sinner. 9. The feares by which sinners are terrified either internally by God, or externally by Preachers, are sinnes, vntill they are ouercome by faith. 10. The doctrine of the dispositions destroyeth that of faith, and taketh consolation from the consciences. 11. Onely faith is necessarie, and other things are neither commaunded nor forbid, neither is sinne any thing but incredulitie. 12. Hee that hath faith is free from the precepts of the Law, and hath no neede of workes to bee saued; for faith giueth all aboundantly, and alone fulfilleth all the Commandements, and no worke of a faithfull man is so bad as may accuse or condemne him. 13. A man baptized cannot loose saluation by reason of any sinne whatsoeuer, except hee will not beleeue, and no sinne, but infidelitie, separateth vs from the grace of God. 14. Faith and workes are contrarie, and workes cannot be taught without shipwracke of faith. 15. Externall workes of the second Table are hypocrisie. 16. The iustified are set free, from guilt, and punishment, and satisfaction neither in this life nor after death is necessarie; and therefore there is no Purgatorie, or satisfaction, which is part of penance. 17. The iustified, though they haue the grace of God, cannot fulfill the Law, or auoide sinnes, though mortall. 18. Obedience vnto the law in the iustified is weake, and vnpure in it selfe, not acceptable to God, but accepted for the faith of the person reconciled, who beleeueth that the remainders of sinne are forgiuen him. 19. The iust sinneth in euery good worke, and no worke maketh the sinne veniall. 20. All the workes of men, yea of the most sanctified, are sinne: the workes of the iust are veniall by the mercie of God, but in the rigor of his iudgement are mortall. 21. Though the iust ought to doubt that his workes bee sinnes, yet hee ought withall to be assured that they are not imputed. 22. Grace and iustice are nothing but the will of God, neither haue the iustified any inherent iustice in them, and their sinnes are not abolished, but only remitted, and not imputed. 23. Our iustice is nothing but the imputation of the iustice of CHRIST, and the iust haue neede of a continuall iustification, and imputation of the iustice of CHRIST. 24. All the iustified are receiued into equall grace and glory, and all Christians are equally greatwith the mother of God, and as much Saints as shee. 25. The workes of the iustified deserue not blessednesse, neither can any confidence be put in them, but only in the mercy of God.

1546
PAVL 3.
CHARLES 5.
HENRIE 8.
FRANCIS 1.

When the Articles were published, it was not so easie to set downe a course to handle them in the Congregations, as when originall sinne was

1546
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

diſputed on. For in that matter they found the Articles alreadie handled by the Schoole-men; but the opinion of *Luther* concerning iuſtifying faith, that it is a confidence and certaine perſwaſion of the promiſe of God, with the conſequences that follow, of the diſtinction between the Law & the Goſpel, and of the qualitie of workes depending on the one, and the other, was neuer thought of by any Schoole writer, and therefore neuer confuted or diſcuſſed: ſo that the Diuines had worke enough, firſt to vnderſtand the meaning of the Lutheran propoſitions, and their difference from thoſe that are determined in the Schooles, and then the reaſons, by which to diſtinguiſh them. It is certaine that in the beginning ſome of them, and the Fathers for the moſt part, did beleeue that the Proteſtants, denying Free-will, held opinion, that man, in externall actions, is like a ſtone, and, when they attribute iuſtice to faith onely, without the concurrence of workes, thought him iuſt who beleeued only the Story of the Goſpel, though, in other reſpects, he were neuer ſo wicked; and other ſuch abſurdities, the which, by how much the more they are aliene from common ſenſe, ſo much the harder they are to confute: as is vſuall in all opinions contrary to manifeſt appearance, and the generally receiued perſwaſion.

The maior part of the Diuines, who then were aſcended to the number of fiue and fortie, was very tenacious of the opinions generally receiued in the Schooles, impatient of contradiction, where the Schoole men agreed, but where they agreed not, they did very much ſtand in defence of their owne opinion; and the Dominicans, more then the reſt, were wont to vaunt, that, for the ſpace of three hundred yeeres, the Church ouercame hereſies by their paines. Yet there wanted not ſome wiſe men, who ſuſpended their iudgement, vntill the reaſons were weighed. In this number was *Ambroſius Catarinus* of *Siena*, a Dominican Friar, after created Biſhop of *Minori*, *Andreas de Vega*, a Spaniard and Franciſcan, and *Antonius Marinarus*, a Carmelite. The Heremites, becauſe they were of the order which *Martin Luther* quitted, did affect to ſhew themſelues more contrary to him then all others, and eſpecially *Ierolamus Seripandus* the Generall.

In examining the Articles, the Theologues that began (to facilitate the vnderſtanding of the three firſt) laboured to ſet downe what that faith which iuſtifieth is, and what workes it excludeth, diſtinguiſhing them into three ſorts; preceding grace, whereof the ſeuen following Articles vntill ten doe ſpeake, concurrent in the very moment with the infuſion of it, and ſubſequent after grace receiued; of which the other eleuen doe ſpeake. That faith iuſtifieth muſt bee preſuppoſed as vndoubted, for that it is ſaid and repeated by Saint *Paul*. To reſolue what that faith is, and how it maketh a man iuſt, the opinions were different in the very beginning. For the Scripture attributing many vertues to faith, which ſome knew not how to applie to one onely, they thought the word was equiuocall, and did diſtinguiſh it into many ſignifications, ſaying that ſometimes it is taken for an obligation to keepe promiſes: in which ſenſe Saint *Paul* ſaide, that the incredulitie of the Iewes made not vaine the promiſe of God: ſometimes for the vertue to doe miracles, as when it is ſaid, if I ſhall haue ſo much faith as to remoue mountaines; ſometimes for the conſcience, in which ſenſe it is ſaid, that that work, which is

The ſignifications of faith.

not conformable to faith is sinne: sometimes for a trust and confidence in God, that his Maiestie will keepe his promises; so Saint *Iames* willeth vs to pray in faith, without doubting: Lastly, for a perswasion and firme assent (though not euident) to the things reuealed by God. Others added other significations, some to the number of nine, some to the number of fifteene. 1546 PAVL. 3. CHARLES 5. HENRY 8. FRANCIS 1.

But Friar *Dominicus Soto*, opposing himselfe against all, said, that this is a renting of faith, and a giuing of victory to the *Lutherans*, and that there were but two significations; one, the truth and realitie of him that affirmeth or promiseth, the other, the assent in him that heareth: that the first is in God, the second is onely in vs: and of this last all places of the Scripture, which speake of our faith, are vnderstood: but to take faith for a trust and confidence, is not onely an improper kinde of speaking, but abusiue, neuer receiued by Saint *Paul*: that trust differeth little or nothing from hope; and therefore the opinion of *Luther* ought to be held for an vndoubted errour, or rather heresie, that iustifying faith is a trust and certaintie in the minde of a Christian, that his sinnes, for CHRIST, are remitted. *Soto* added, and was followed by the maior part, that that trust could not iustifie, because it was temeritie, and a sinne: for that no man, without presumption, could assure himselfe that hee was in grace, but ought alwayes to doubt. For the other part *Catarinus* held, and had many followers, that iustification proceeded not from that trust, yet that the iust might and ought to beleeue by faith, that hee is in grace. *Andreus Vega* set a third opinion on foote, that it was neither temeritie, nor certaine faith, yet that one might haue a coniectural perswasion without sinne. And this controuersie could not bee quitted, because in it consisted the point of censuring the second Article. Therefore it was first lightly discussed, then (the parties beeing warmed) it diuided, and held long in dispute all the Councell, for the reasons and causes which shall bee declared. But all agreed, that iustifying faith is an assent to whatsoeuer is reuealed by God, or determined by the Church to be beleeued; which, sometimes being ioyned with charitie, sometimes remaining without it, they did distinguish into two sortes; one which is found in sinners, which the Schooles call vnformed, solitary, idle, or dead; the other, which is onely in the good, working by charitie, and therefore called Formed, efficacious, and liuely. And here another controuersie arose. For some thought that faith, vnto which the Scriptures ascribe saluation, iustice, and sanctification, was onely the liuely faith, (as also the Catholikes of *Germanie* held in the Colloquies) and included the knowledge of the things reuealed, the preparation of the will, and charitie, in which the fulfilling of the whole Law is contained. And in this sence it cannot bee sayd, that onely faith iustifieth, because it is not alone, but formed with charitie. Among these, *Marinarus* liked not it should bee said, that faith is formed with charitie, because that kinde of speach is not vsed by Saint *Paul*, but onely that faith worketh by charitie.

Soto maintaineth a singular opinion.

The opinions of *Catarinus*, & of *Andreas Vega*.

Others vnderstood, that iustifying faith was faith in generall, not saying it was either liuely or dead, because they doe both iustifie after diuers manners; either compleatly, as the liuely, or as a beginning or foundation,

1546
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

as the historicall faith; and of this Saint *Paul* speaketh when he attributeth iustice vnto it, no otherwise then as Philosophie is conteined in the alphabet; that is, as in a basis; which is as it were nothing, the principall remaining, that is to set the statue vpon it. This second opinion was iointly maintained by the *Dominicans* and *Franciscans*, the other by *Marinarus* and his adherents. But the principal point of the difficultie was not touched; that is, whether a man is iust, and then doth iustly, or, by doing iustly, becommeth iust. They all agreed in one opinion, that to say onely faith doth iustifie, was a proposition of many senses, and all absurd. For God and the Sacraments doe iustifie, as causes in their seuerall kindes: so that the proposition hath that and many other exceptions. The preparation also of the soule to receiue grace, is a cause in its kinde, so that faith cannot exclude that sort of workes. But the Articles concerning workes that goe before grace, all which *Luther* condemneth for sinne, the Diuines censured for hereticall, rather by way of inuectiue then otherwise; condemning likewise of heresie the opinion taken in generall, that humane workes, without faith, are sinne: thinking it a cleere case, that many actions of men are indifferent, neither good nor euill; and that others there are, which though they bee not acceptable to God, yet are morally good, as the honest actions of Infidels, and Christians which are sinners, which to call honest and sinnes implieth a contradiction; and the rather, because in this ranke are included the heroicall actions, so much commended by antiquitie.

Catarinus his opinion concerning the valew of workes.

But *Catarinus* maintained, that man, without the speciall helpe of God, can doe no worke, which may truely bee good, though morally, but sinneth still. Therefore the workes of the Infidels, who are not excited by God to beleeue, and of the faithfull who are sinners, before God stirreth them vp to conuersion, though they seeme honest to men, euen heroicall, yet are truely sinnes, and hee that commendeth them, doth consider them in generall, and according to externall appearance; but hee that shall examine the circumstances of euery one, shall finde they are peruerse: and that for this *Luther* was not to bee condemned; notwithstanding hee said that the Articles ought to bee censured, as they speake of workes that follow preuenting grace, which are a preparation to iustification, as an abomination of sin, feare of hell, and other terrors of conscience. For confirmation of his opinion, hee brought the doctrine of Saint *Thomas*, that to doe a good worke, the concurrence of all circumstances is necessary, but the want of one only is sufficient for an ill. So that howsoeuer amongst the workes considered in generall, some are indifferent, yet in the singular, there is no *medium* betweene hauing all the circumstances, and wanting some. Therefore euery particular action is good or euill, neither is there to bee found any one indifferent. And because amongst the circumstances the end is one, all workes referred to a bad end are infected; so that the Infidels referring all to a bad end, their actions are sins though they seeme heroycall, to him that knoweth not their intention. Neither doth it make any difference whether the relation to a bad end be actuall or habituall, because the iust doth merit, though hee referreth not the worke actually to God, but habitually onely. He said further, alledging Saint *Austine*, that it is sinne not onely to refer the

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

action to a bad end, but also not to referre it to a good; and because he defended that, without the speciall preuenting assistance of God, a man cannot referre any thing to God, hee concluded, that no good morall worke can be before. For this he allodged many places of Saint *Austine*, to shew that hee was of this opinion. Hee alledged also places of Saint *Ambrose*, S. *Prosperus*, S. *Anselmus*, and of other Fathers. He produced *Gregory* of *Arimini*, the Cardinall of *Rochester*, who, in his booke against *Luther*, was cleerely of the same opinion, saying, it was better to follow the Fathers, then the Schoolemen, who are diuided, and rather to take the Scriptures for a ground, from whence true Theologie is taken, then the subtilties of Philosophy, which the schooles haue vsed: that himselfe also was of that opinion, but hauing studied the Scriptures and Fathers, had found the truth. Hee alledged the passage of the Gospel; *A bad tree cannot beare good fruit*, with the amplification which our Sauiour added, saying, *Either make the tree good and the fruit good, or the tree euill and the fruit euill.* He vsed also other arguments, and especially the place of Saint *Paul*, that nothing can be cleane to Infidels, because their minde and conscience is spotted.

This opinion was very sharpely impugned by *Soto*, proclayming it hereticall, for inferring that man had not liberty to doe well, nor could obtaine his naturall end, which was to deny free-will with the Lutheranes. Hee maintayned a man might, by that strength of nature, obserue euery precept of the law, in regard of the substance of the worke, though not in regard of the end; which was enough to auoyd sinne. Hee said there were three sorts of humane actions; one, the transgression of the law, which is sinne; an other, the obseruation thereof, hauing charity for the end, which is meritorious, and acceptable to God; the third mixt, when the law is obeyed for the substance of the precept; which worke is morally good and perfect in its kinde, because it accomplisheth the law, making euery worke good according to morality, auoyding, by that meanes, all sin. But he moderated this great perfection of our nature, by adding, that it was one thing to take heed of any one particular sinne, and another to beware of all together; and saide that a man might auoyd any one, but not all; by the example of him that had a vessell with three holes, who could not stoppe them with two hands, but could stop which two of them he would, one remayning open of necessity. This doctrine did not satisfie some of the Fathers. For though it cleerly shewed that all workes are not sinnes, yet it did not wholly salue free-will, because it will necessarily follow, that it is not free in auoyding all sinne. But *Soto* giuing the title of good workes vnto these, knew not how to determine whether they were preparatory to iustification. It seemed to him they were, in regard of the goodnesse of them: and it seemed they were not, considering the doctrine of Saint *Austine*, approoued by Saint *Thomas*, and other good Diuines, that the first beginning of saluation proceeds from the vocation of God. He auoyded these straits by a distinction, that they were preparatory a farre off, but not neerely, as though giuing a remote preparation to the force of nature, the first beginning was not taken away from the grace of God.

Soto proclaymeth the opinion of *Catarinus* to be hereticall.

A new distinction inuented by *Soto*.

The Franciscanes thought that not only this kinde of workes were good,

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

and did truely and properly prepare to iuſtification; but alſo that they were truely meritorious in the ſight of God. Therefore *Scotus*, the authour of their doctrine, inuented a kinde of merit, which hee attributed to workes done by the force of nature onely, ſaying that in congruity they deſerue grace, by a certaine law, and infallibly, and that a man, by naturall power only, may feele a ſorrow for ſinne, which is a diſpoſition, and merit of *Congruity*, to aboliſh it: approouing a common ſaying of his times, That God neuer fayleth him that doth as much as hee is able. And ſome of that Order, paſſing thoſe bounds, did adde, that if God giueth not grace to him that doth what he can, hee would be vniuſt, vnrighteous, partiall, and an acceptor of perſons. They clamoured with much ſtomacke and indignation, that it would bee a great abſurdity, if God made no difference betweene one that is naturally honeſt, and another drowned in all vices, and there would be no reaſon why hee ſhould rather giue grace to one then another. They alſo alledged, that Saint *Thomas* was of this opinion, and that otherwiſe a man is put into deſperation, and made negligent to doe well, and wicked men may excuſe their bad workes, and attribute them to the want of the aſſiſtance of God.

The doctrine of the Franciſcans concerning meritorious works.

But the Dominicans did confeſſe that Saint *Thomas* was of this opinion, when hee was yong, and after did retract it, when he was old. They did reprehend it, becauſe in the Councel of *Orange*, it is determined that no kinde of merit goeth before grace, and that the beginning ſhould bee attributed to God; ſaying, that the Lutheranes hauing made ſuch exclamations for this congruous merit, it ought wholly to be aboliſhed, as indeede it was neuer heard of in the Church in ancient times, in ſo many controuerſies with the Pelagians. That the holy Scripture doth attribute our conuerſion to God, and that it is not fit to leaue the forme of ſpeech which it vſeth.

Is contradicted by the Dominicans.

For the preparations there was no difference in the ſubſtance of the doctrine. All held that after God doth ſtirre vs vp, feare and other cõſiderations of the malignity which is in ſinne doe ariſe. They ſaid that the opinion, that theſe things are bad, was hereticall, becauſe God exhorteth the ſinner, yea mooueth him to theſe conſiderations, and it muſt not bee ſaid that God mooueth to ſinne; and which is more, it is the office of a preacher to terrifie a ſinner by theſe meanes: and becauſe by the ſame meanes, all paſſe from the ſtate of ſin to that of grace, it ſeemed very ſtrange that one could not paſſe from ſinne to iuſtice, without the meanes of another ſinne. But for all this, they could not free themſelues from the difficultie on the contrary part; becauſe all good workes may ſtand with grace, but that feare and other preparations cannot, and therefore are ſinnes. Friar *Antonius Marinarus* thought the difference was verball, and ſaid, that as paſſing from a great cold to a heat, one muſt paſſe by a leſſe degree of cold, which is neither a heat nor a new colde, but the ſame diminiſhed, ſo one goeth from ſinne to iuſtice by terrors and attritions, which are neither good workes, nor new ſinnes, but old ſinnes extenuated. But hee was compelled to retract, becauſe all were againſt him. Of the workes done in grace there was no difficultie amongſt them. For they all ſaid they were perfect, and merited ſaluation; and that *Luthers* opinion, that they are all ſins, is wicked and ſacrilegious: and holding it to

bee

be blasphemie to say, that the blessed Virgine hath committed the least veniall sinne, they could not endure to heare that she sinned in euery action, and said, that the earth and hell would open themselues against so great blasphemies. 1546 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

For censure of the 22. and 23. Articles, in the point of the essence of Diuine grace, it was a common consideration, that the word *Grace*, in the first signification, was vnderstood for a beneuolence or good will, which, when it is in him that hath power, necessarily bringing forth a good effect, that is, a gift or benefit, which is also called Grace. That the Protestants thought so meanely of the Maiestie of GOD, that it could do no more then make vs partakers of his good will: but his omnipotencie required that wee should haue the benefit thereof in effect. And because some man might say, that the diuine will onely, which is GOD himselfe, can haue no greater thing to bestow, and that to haue giuen vs his Sonne was the greatest benefit, and that Saint *Iohn*, to shew the great loue of GOD towards the world, alleadged nothing else but that he had giuen vs his Sonne, they said that these benefits are common to all, and that it was fit he should bestow a particular present to euery one. Therefore the Diuines haue added an habituall grace, giuen to euery iust man in particular, which is a spirituall qualitie created by GOD, infused into the soule, whereby it is made gratefull and acceptable to the Diuine Maiestie, wherof though the Fathers speak not in expresse termes, nor the Scripture, yet it is cleerely deduced from the word *Iustifie*; which being effectiue, doth necessarily signifie to make iust, by the impression of reall Iustice: which realitie, because it is no substance, can be nothing else but a qualitie and habit. All agreed to condemne *Luther* concerning works after grace.

And vpon this occasion there was much spoken against the Lutherans, who will not haue the verbe *Iustificare* to be effectiue, but iudicial and declaratiue, grounding themselues vpon the Hebrew word צדק *Tsadak*, and the Greeke δικαιόω which signifie to bee pronounced iust; and vpon many places of the New and Old Testament, and that it is vsed in that signification in the Latine translation, alleadging for it places to the number of fifteene. But *Soto* excluded all those of Saint *Paul*, which spake of our iustification, which he said must needs bee vnderstood in an effectiue sence: whereupon arose a great dispute betweene him and *Marinarus*, who said, one should not ground himselfe vpon so light a matter. But he said the Article of habituall Grace could not be doubted of, as being decided in the Councell of *Vienna*, and by the common opinion of all Theologues: that this was to make sure foundations, which cannot be destroyed, and not to say that S. *Paul* to the *Romanes*, when he saith that GOD iustifieth, doth not meane declaratorily: for it is manifestly against the Text, which maketh a iudiciall processe, and saith, That none can accuse or condemne GODS elect, because GOD doth iustifie them: where the iudiciall words, to accuse and condemne, doe shew that the word *Iustifie*, is iudiciall also.

But the Franciscans approued habituall grace, because charitie it selfe is an habit. And here was a sharp disputation betweene them and the Dominicans, whether the habit of Grace be the same with the habit of Charitie, as *Scotus* would, or distinct, as Saint *Thomas*, and neither party yeelding, they debated

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

debated whether, beſides this Grace or inherent Iuſtice, the Iuſtice of CHRIST alſo be imputed to the iuſtified, as if it were his owne; which they did in regard of the opinion of *Albertus Pighius*, who confeſſing the inherent, added, that we muſt not truſt in that, but in the imputed iuſtice of CHRIST, as if it were ours. None doubted that CHRIST had merited for vs; but ſome blamed the word to *Impute*, and would haue it aboliſhed, becauſe it was not to be found in the Fathers: who contented themſelues with the words, Communication, participation, diffuſion, deriuation, application, computation, and coniunction. Others ſaid, that, agreeing vpon the thing, they ought not to differ vpon the word, becauſe it ſignifieth preciſely the ſame that the others doe, which though not by all and often, yet ſometimes was vſed. For this the 109. Epiſtle of Saint *Bernard* was brought, and *Vega* defended, that, though the word bee not found in the Scriptures, yet it is a moſt proper Latine word, to ſay that the iuſtice of CHRIST is imputed to mankind for ſatisfaction and merit, and that it is continually imputed to all that bee iuſtified, and doe ſatisfie for their owne ſinnes: but hee would not haue it ſaid, it was imputed as if it were ours. Whereunto it being oppoſed that Saint *Thomas* vſeth to ſay, that the paſſion of CHRIST is communicated to the baptized for remiſſion, as if himſelfe had ſuſtained it and died, there was a long and great contention vpon his words. The *Heremite* Generall held an opinion, that, in the Sacrament of Baptiſme, the Iuſtice of CHRIST is imputed, becauſe it is communicated wholly and intirely; but not in penance, when our ſatisfactions are alſo required. But *Soto* ſaid, the word *Imputation*, was moſt popular and plauſible, becauſe it ſignified, at the firſt ſight, that al ſhould be acknowledged from CHRIST; but yet that he did euer ſuſpect it, in regard of the bad conſequences which the Lutherans draw from thence. That is, that this onely is ſufficient, without inherent righteouſneſſe: that the Sacraments doe not conferre grace: that the puniſhment is aboliſhed together with the gilt: that there remaineth no place for ſatisfaction: that all are equall in grace, iuſtice, and glory: whence they deduce alſo that abominable blaſphemie, that euery iuſt man is equall to the bleſſed *Virgin*. This admonition begat ſuch a ſuſpicion in the hearers, that there appeared a manifeſt inclination to condemne the word for hereticall, though reaſons were effectually replied to the contrary. The contentions betweene the Theologues, did certainely ariſe from the immoderate affection they bare to their owne ſect, and were cheriſhed by diuers, for diuers ends. By the Imperialiſts, to conſtraine them to abandon iuſtification. By the Courtiers, to finde a way to ſeparate the Councell, and ſo to auoid the imminent reformation. And by others, to free themſelues from incommodities, which they feared would be greater, by reaſon of the dearth, and of the warre, which appproched: and the rather becauſe they had little hope to do good.

Contentions in the Councell are cheriſhed by diuers for diuers ends.

But while they thus diſpute in *Trent*, the Pope publiſhed a Iubile in *Rome*, the fifteenth of Iuly: by which hee eaſed the Princes of *Germanie* of the pains to finde out, or pearſwade others, the true cauſe of the war. For hauing largely declared, in that Bull, his paſtorall affection and care for the ſaluation of men, relating the perdition of ſoules by the increaſe of hereſies, and that to

A Iubelie is publiſhed in Rome, in which religion is declared to be the cauſe of the warre againſt the Proteſtants.

roote

roote them out, the Councell was alreadie begun, hee bewailed, aboue measure, the obstinacie of the heretikes, who contemne and refuse to obey it, and to submit themselues to the determination thereof. For remedie whereof he had made a League with the Emperour, to reduce them to the obedience of the Church by force of Armes. Hee therefore wished them all to haue recourse vnto GOD by prayers, fastings, confessions, and communions, that GOD of his Diuine Maiestie, would giue a good issue to this warre, vndertaken for his glory, exaltation of the Church, and extirpation of heresies.

1546
PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

The Emperour, in conformitie to his purpose of concealing the cause of Religion, the twentieth of the same moneth, published a *Bando* against the Saxon and Landgraue, laying to their charge that they had alwayes hindered his designes, had neuer obeyed him, made conspiracies against him, mooued warre against other Princes of the Empire, seased vpon Bishoprickes, and other gouernements, dispossessed many of their goods, and couered all these things with the glorious and sweete name of Religion, peace, and libertie, but hauing in deede rather any other ende. Therefore he doth proscribe them, as perfidious, rebels, seditious, guiltie of high treason, and enemies of the publike peace: and commandeth that none doe assist them, or be linked with them, absolueth the nobilitie and people of their dominions from their Oath of fidelitie, including all those in the *Bando* who perseuere to obey them.

The Emperors *Bando* against the Saxon and Landgraue.

The cause of the warre alleadged by the Emperour grieued the Pope, and that of the Pope grieued the Emperor, because both their ends were hindred. For though the Pope pretended that hee had published this *Manifest*, that all the people of Christendome might implore the aide of God, to fauour the Emperours Armes, yet both he and euery man of iudgement knew very well that it was to giue notice to *Germanie*, and the whole world, that the warre was for religion: which the simpler sort also did know a little after. For his letter to the Suisses before mentioned, and a copie of the Capitulations made with *Madruccio*, were published. The Pope crossed *Cesar* in this, because he desired the suppression of the Protestants, without the exaltation of the Emperour, and therefore to ballance them well, hee meant to constraine all the professors of the new Religion to vnite against him. And it is certaine that the Popes action hindered the Emperours designes. For desiring the Suisses to continue their league with the house of *Austria* and *Burgundie*, and not assist the rebels, the Euangelikes answered, that they would first be sure that the warre was not for religion. So it happened that, the warre being but newly begun, discords were already sowed, betweene the Princes, lately confederated.

The Pope and the Emperour are offended one with another for alleadging diuers causes of the warre.

The Potentates of *Italie* were amazed, and saw the Popes vsual wisedome was wanting, to keepe warre farre from *Italie*, and the Princes beyond the mountaines in an equall ballance of strength; who in the same instant had fayled in both. For if the Emperour had subdued *Germanie*, *Italie* had remained at his discretion, and *France* not beene able to resist. If the Emperor had beene ouercome, the Dutch men would haue passed into *Italie*. And perhaps these reasons running in the Popes minde, perswaded him when hee had

The Princes of *Italie* doe censure the Pope for making this warre.

1546 had concluded the league, to ſecure himſelfe againſt the Emperour with the counterpoiſe of *Germanie*.

Pavl 3. Charles 5. Henry 8. Francis 1.

But *Cæſar*, beſides his diſtaſte for the *Iubelie*, ſuſpected alſo that the Pope, hauing obtained his end of making warre againſt the Proteſtants, would diſſolue the Councell, vnder pretence to deferre it vntill the warre was ended, or for feare of the armes which the Proteſtants prepared in *Sueuia*. Hee knew this was the aime of all the Court, negotiated with him more then fiue and twenty yeeres, and that the Biſhops aſſembled in *Trent*, euen his owne, had the ſame minde, for the incommodities which they ſuffered there. Hee feared the *Lutherans* would ſay, if the Councell were ſeparated, that it was aſſembled onely to finde a pretence of making warre againſt them; and that the Catholiques of Germany would thinke, that, the intereſts of religion and reformation being laid aſide, hee would endeuour onely to ſubdue them. Hee doubted alſo, that going on to handle the Controuerſed points, as already they had originall ſinne, and meant to handle as he was aduertiſed) iuſtification, hee might bee hindered in ſome compoſition, which otherwiſe hee might haue made, giuing hope to the Cities that their reaſons ſhould be heard, to ſeparate them from the Princes of the league. He ſaw cleerely it was neceſſary the Councell ſhould remaine open, and yet meddle only with reformation: but that it was impoſſible to obtaine it without the Pope conſented with him. Therefore he ſent to certifie him in diligence, that hee would imploy all his ſpirit and forces to make *Trent* ſecure, though there went a fame of the Proteſtant armies in *Sueuia*. That it was neceſſary to maintaine the Councell, that they might anſwere the backebitings and calumnies, which would bee ſpred againſt them both, if it were diſſolued. Hee earneſtly prayed him to keepe the Councell open, and not to handle the controuerſies; becauſe his purpoſe was to compell the Proteſtants, his adherents, by authoritie, and his enemies by force of armes, to be preſent, and ſubmit themſelues. But in the meane time hee deſired him not to hinder this excellent deſeigne, ſhutting the doore vpon them, with contrary decrees, made in their abſence. That this could not continue long, and that hee hoped to ſee the end of it this ſummer. Therefore that he ſhould bee contented that now reformation onely ſhould bee treated of, or, if religion were, they ſhould touch matters of ſmall weight onely, that, when they were defined, they might not offend the Proteſtants. Hee ordained alſo, that his Ambaſſadour in *Trent* ſhould make the ſame inſtance to the Legates. And being informed that *Santa Croce* was inclined to any kinde of diſſolution of the Councell, hee charged his Ambaſſadour to giue him a nip, and tell him, that if, in this, hee did croſſe his Maieſtie, he would cauſe him to bee throwen into the riuer *Adice*. This was knowen to all, and written by the Hiſtorians of this time.

The Emperor doth earneſtly intreat the Pope that only reformation may bee handled in the Councell, and that it might not be diſſolued.

He threatneth the Legate *Santa Croce*.

The Pope, though hee would faine haue beene free from the Councel, which the Court deſired alſo, yet he thought it neceſſary to gratifie the Emperour, in keeping it open, and not handling controuerſies. But to treat only of Reformation neither pleaſed him nor the Courtiers. Therefore hee wrote to the Legates that they ſhould not ſuffer the aſſembly to diſſolue, nor make a Seſſion vntill himſelfe had giuen order, but ſhould entertaine the

The Pope & Court did not like that reformation onely ſhould bee handled.

Prelates

Prelates and Theologues with Congregations, and ſuch buſineſſes and exerciſes, as ſeemed to them beſt. The 25. day the Iubily was ſolemnly publiſhed in *Trent*, in preſence of the Legates, and all the Councel. And that they might apply themſelues to faſtings, and other works of Penance, according to the preſcript of the *Bul*, the Seſſion was deferred vntill it ſhould bee intimated, and the Congregations intermitted for 15. dayes. 1546 PAVL 3. CHARLES 5. HENRIE 8. FRANCIS 1.

The Iubily is publiſhed in *Trent*.

At the ſame time the Proteſtant Army came neere to *Tiroll*, to ſtop the paſſages of thoſe that came out of *Italie*, to the Emperors ſeruice, and *Chiuſa* was taken by *Sebaſtinus Schertellinus*. For which cauſe the Countrey was all in armes, to hinder their progreſſe, and *Franceſco Caſtelallo*, who garded the Councel, went in perſon to *Iſpruc*, and fortified that City, to preuent the poſſeſſion of the paſſages, and planted himſelfe ſeuen miles aboue it. This made men doubt, that that Countrey would be the ſeat of the war, and that the Councel would wholly be diſturbed. The Prelates, who deſired a pretence to retire, amplified the dangers and incommodities; whereunto the Legates not oppoſing in the beginning, cauſed a ſuſpition, that the Pope had no mind to continue the Councel. Some of the moſt timerous Prelates, who had no deſire to remaine in *Trent*, departed; and ſo would more haue done, if the Cardinal of *Trent*, lately returned from *Rome*, had not aſſured them, that the Pope would haue bene much diſpleaſed therewith, and the timerous had not beene comforted by him, and the Emperours Ambaſſadour, ſecuring them that the great number, which came out of *Italy*, would compel the Proteſtants to bee gone: and alſo if the Popes letters to the Legates, which came in the middeſt of thoſe ſtirres, had not ioyned the Popes authority and theirs to the entreaties of others.

The Proteſtant armie maketh the Prelates in *Trent* afraid.

But though the Proteſtants enterpriſe did not ſucceed, and *Tiroll* remayned ſecure, ſo that there was no doubt on that ſide, yet there was confuſion in *Trent*, by reaſon of the great number of ſouldiers, which continually paſſed out of *Italy* into *Germany*, who, according to the capitulations of the league, were in all to the number of twelue thouſand foot, and fiue hundred horſe, beſide two hundred from the Duke *Tuſcanie*, and one hundred from the Duke of *Ferrara*. The moſt famous Captaines of *Italie* came with them, vnder the conduct of the Generall *Octauius Farneſe*, and his brother *Alexander Farneſe*, Cardinal, and Legate, both grandchildren to the Pope, by his ſonne; and ſixe thouſand Spaniards, the Emperours owne ſouldiers, taken out of *Naples* and *Lumbardy*. And ſo long as the ſouldiers paſſed, which was vntill the middle of Auguſt, though the publike actions of the Councel were not wholly omitted, yet the meetings were not ſo many, nor ſo frequented. But that the Biſhops and Diuines might haue entertainement, the Cardinall *Santa Croce* held an aſſemblie of learned men in his houſe, where they treated of the ſame things, but familiarly, and without ceremony.

The Italian troopes paſſe by *Trent* vnder the conduct of *Octauius Farneſe*.

The Proteſtants combined with the Emperor, did then publiſh a writing, addreſſed to their ſubiects, full of railings againſt the Pope, calling him Antichriſt, inſtrument of *Satan*, imputing vnto him that, before, hee had ſent to kindle a fire in diuers places of *Saxonie*, and now was authour and moouer of the warre, and had ſent into *Germanie* to poyſon the wells, and ſtanding waters, aduiſing all to bee diligent in taking and puniſhing thoſe

The Proteſtants combined with the Emperor doe raile againſt the Pope.

1546
PAVL 3.
CHARLES 5.
HENRIE 8.
FRANCIS 1.

those poysoners. This very few did thinke to be probable, and was esteemed a calumnie.

The Popes men being come into the armie, which was in *Landisuth*, the 15. of August, the Emperour gaue the collar of the golden *Fleece*, vnto his Sonne in Law *Octauius*, which he had bestowed on him in the celebration of the assembly of that order, held vpon Saint *Andrewes* day, and he saw the muster of the Popes men, with much approbation and content, to haue the flower of the Italian Souldiers. Yet the ends of the Pope and Emperour being diuers, they produced occasions of distasts. The Cardinall *Farneſe* desired to carry the crosse, as Legate, before the armie, and had order from the Pope so to doe, publishing indulgences, as formerly was vsed to be done in *Crusadoes*, declaring it was the war of the Catholique Church. But he could obtaine neither of these from the Emperour, whose end was quite contrary, to entertaine the Lutherane Princes who were with him, and that the Cities might not waxe obstinate against him for it. The Cardinall perceiuing hee could not tarry in the field in any other qualitie, with the Popes dignitie, and his owne, he remained in *Ratisbon*, and fayning himselfe to be sicke, expected his Grandfathers answere, whom he had aduertised of all.

The Emperor giueth the collar of the golden *Fleece* to his sonne in law *Octauius Farneſe*.

The Emperor will not suffer Card. *Farneſe* the Legate to cary the crosse before the army.

They now being in a readinesse on both sides, though either had a great armie, and forced one another, presenting also the battaile when they saw their aduantage; and though each of them had many good occasions to atchieue some notable victorie, yet they were not embraced by the Protestants, because the Elector and the *Landgraue* had equall authoritie ouer them: a gouernment which euer succeedeth ill in armies: and because the Emperor knowing this, that he might be Conquerour without blood, and not giue the enemies occasion to set their affaires in better order, expected that time should put into his hand a certaine victory, in stead of one that was doubtfull, exposing himselfe to the hazard of a battell; whereby nothing of moment or consequence was done.

The equall authoritie of the *Saxon* and *Landgraue* bringeth great disaduantage to their army.

The Legats in *Trent*, now freed from the Souldiers, did regulate the Congregations, according to the first stile, reducing them to ordinary daies, and bethinking themselues how to driue the time, according to the purpose of the Pope. They found no other meanes, but to shew that the importance of the matter required an exact discussion, and to prolong the disputations of the Diuines, giuing an entrance to new matters; whereof there could not want occasion, in regard that by reason of connexion, or intéperancie of wit, Doctors doe euer easily passe from one subiect to another. They resolued also to cherish the differences and varietie of opinions; a thing easie to bee done, as well for the naturall inclination of man to ouercome in disputations, as because in the schooles, especially of the Fryars, to much obstinacy in opinion of their owne sect, is very vsuall. *Monte*, who was of an ingenuous disposition, thought it would be hard, and could not promise to be constant in so long a dissimulation, as he saw was necessary. But *Santa Croce*, a man of a melancholie and close nature, offered to take vpon him the charge of gouerning the businesse.

Card. *Monte* cannot dissemble so well as the other Legate *Santa Croce*.

In the Congregation of the twentieth of August, it seeming that as much had beene spoken vpon the twenty fiue Articles, as was sufficient to frame

Fathers are deputed to compose the *Anathematismes*.

the

the *Anathematiſmes*, it was propoſed to depute Fathers to compoſe them. And there were named three Biſhops, and three Generalls, and *Santa Croce* firſt of all. Who hauing made a model of the Canons, and propoſed it to be diſcuſſed in the Congregations following, the ſame diſputations did returne, of the certaintie of Grace, of the mortall workes of Infidels and ſinners, of the merit of congruitie, of imputation, of the diſtinction of Grace and charitie; and thoſe that were intereſted in the opinions ſpake more earneſtly, becauſe the Cardinall gaue them an edge, by ſhewing that the matters were of importance, and ought to bee diſcuſſed well, and that without the reſolution of them, it was impoſsible to make a good determination. The controuerſie of the certainetie of grace only, held the diſputants in exerciſe many dayes, and made obſtinate, and diuided into two partes, not onely the Diuines, but the Prelates alſo. Yet the queſtion was not cleered by the diſputation, but more obſcured.

1546. PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

Santa Croce cheriſheth the diuiſion amongſt the Diuines.

In the beginning (as hath beene deliuered) one part ſaid that certaintie of Grace was preſumption; the other, that one might haue it meritoriouſly. The ground of the firſt was, that Saint *Thomas*, Saint *Bonauenture*, and generally the Schoolemen thought ſo; for which cauſe the maior part of the Dominicans were of the ſame opinion. Beſides the authoritie of Doctors, they alleadged for reaſons, that God would not that man ſhould be certaine, that hee might not be lifted vp in pride, and eſteeme of himſelfe, that hee might not preferre himſelfe before others, as hee that knoweth himſelfe to bee iuſt would doe, before manifeſt ſinners: and a Chriſtian would ſo become drowſie, careleſſe, and negligent to doe good. Therefore they ſaid that incertainetie was profitable, and meritorious beſides, becauſe it is a paſſion of the mind, which doth afflict it, and, being ſupported, is turned to merit. They alleadged many places of the Scripture alſo; of *Solomon*, that *a man knoweth not whether hee bee worthie of hate or loue*; of Wiſedome, which commandeth not to bee without feare of the ſinne pardoned; of Saint *Peter*, to *worke out our ſaluation with feare and trembling*; of Saint *Paul*, who ſaid of himſelfe, *though my conſcience accuſe mee not, yet am I not thereby iuſtified.* Theſe reaſons and teſtimonies together with many places of the Fathers, were brought and amplified, eſpecially by *Seripandus*, *Vega*, and *Soto*.

A difference in opinions about certainty of Grace.

The opinion of *Seripandus*, *Vega*, and *Soto*.

But *Catarinus*, and *Marinarus*, had other places of the ſame Fathers, to the contrarie; which ſhewed they had ſpoken accidentally in this particular, as the occaſions made moſt for their purpoſe, ſometimes to comfort the ſcrupulous, ſometimes to repreſſe the audacious. Yet they kept them cloſe to the authoritie of the Scripture. They ſaid that to as many as it is read in the Goſpel that CHRIST hath forgiuen ſinnes, to all them hee ſaide, *beleeue that your ſinnes are forgiuen.* And it would bee an abſurditie that CHRIST ſhould giue an occaſion of temeritie and pride, or, if the contrary were profitable, or a merit, that hee would depriue all men of it. That the Scripture bindeth vs to giue God thankes for our iuſtification, which cannot be giuen except wee know wee haue obtained it; for to giue them when wee are vncertaine, would bee moſt fooliſh and impertinent. That Saint *Paul* doeth plainely confirme the certainetie, when he putteth the Corinthians in mind to know that CHRIST *is in them, except they bee reprobates.* And when he

The opinion of *Catarinus* & *Marinarus*.

 ſaith

1546
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

faith, wee haue receiued from God the Spirit to know what is giuen vs by his Diuine Maieſtie; and more cleerely, that *the holy Spirit doeth beare witneſſe to our Spirit, that wee are the ſonnes of God*: and it is much to accuſe them of raſhneſſe, who beleeue the holy Ghoſt that ſpeaketh with them. For Saint *Ambroſe* ſaith that the holy Ghoſt doeth neuer ſpeake vnto vs, but doeth make vs know that it is he that ſpeaketh. After this he added the words of Christ in Saint *Iohn*, that the world cannot receiue the holy Ghoſt, becauſe it ſeeth him not, nor knoweth him, but that the Diſciples ſhall know him, becauſe he ſhall dwell in them. *Catarinus* did fortifie himſelfe ſtrongly, by ſaying, that it was the opinion of a man in a dreame, to defend that grace is voluntarily receiued, when we know not whether wee haue it or not; as if, to receiue a thing willingly, it be not neceſſarie that the willing receiuer ſhould know it is giuen him, that hee doeth really receiue it, and that, after it is receiued, he doeth poſſeſſe it.

The force of theſe reaſons made them firſt retire a little, who cenſured the opinion of temeritie, and yeeld that there might be a coniecture, though not an ordinary certainetie. Yet they acknowledged a certainety in the Martyrs, in the newly baptized, and in ſome by ſpeciall reuelation; and from coniecture they were brought to call it morall faith: and *Vega*, who, in the beginning, admitted probability onely, ouercome by theſe reaſons, and beginning to fauour the certainety, for feare of conforming himſelfe to the Lutheran opinion, ſayde, that there was ſo much certainetie as did exclude all doubt, & could not be deceiued, yet that it was not Chriſtian faith, but humane and experimentall. And as hee that is hote, is ſure he is ſo, and ſhould want ſenſe if hee doubted, ſo hee that hath grace in him, doeth perceiue it, and cannot doubt; yet it is by the ſence of the minde, not by Diuine reuelation. But the other defenders of certainety, conſtrained by the aduerſaries to ſpeake plainely, whether they thought a man might haue it, or whether hee were bound vnto it, or whether it were a Diuine or humane faith, they came to ſay, that it beeing a faith giuen to the Teſtimonie of the holy Ghoſt, it could not bee ſayde to bee in our libertie, euery one beeing bound to beleeue Diuine reuelations, and that it muſt needes bee called Diuine faith.

And they being preſſed with the obiection, that if that faith bee not equall to the Catholike faith, it doth not exclude all doubt; if it bee equall, then the iuſt ought as much to beleeue hee is iuſtified, as the Articles of faith, *Catarinus* did anſwere, that that faith was diuine, of equall certainetie, excluding all doubt, as well as the Catholike; but that it was not the Catholike it ſelfe. Hee affirmed that the Faith which one giueth to Diuine reuelations, made vnto ones ſelfe, in particular, was Diuine, and excluded all doubt, but when it is receiued by the Church, then it is made Vniuerſall, that is, Catholike, and that this onely concerneth the Articles of faith; which notwithſtanding, in regard of certainetie and excluſion of doubt, is not ſuperiour to priuate faith, but exceedeth it onely in vniuerſalitie. So all the *Prophets* had firſt priuate faith of the things reuealed to them by God, of which, after they were receiued by the Church, they had a Catholike faith. This opinion ſeemed hard at the firſt hearing, and the adherents of *Catarinus*, who were all the

Carmelites,

Carmelites, becauſe *Iohn Bacon*, their Doctour, was of that opinion, and the Biſhops of *Sinigaglia*, *Worceſter*, and *Salpi*, did willingly goe ſo farre; but afterwards, the reaſon beeing weighed and diſcuſſed, it was ſtrange how it was receiued by a principall part of the Prelates, *Soto* crying out that it was too much in fauour of the Lutherans, & others defending that *Luther* ought not to be cenſured if he had ſaid that, after iuſtification, that kind of faith doth follow, but becauſe he ſaith that is the faith which iuſtifieth. 1546 PAVL 3. CHARLES 5. HENRY 1. FRANCIS 1.

They anſwered the reaſons of the other part, that the Schoolmen ought not to be regarded, who ground themſelues vpon Philoſophicall reaſons; that one cannot iudge of diuine motions; that the authority of *Salomon* was not to the purpoſe; for ſaying none knoweth whether hee bee worthy of loue or hatred, applying it here, it would conclude, that the moſt wicked ſinner, who perſeuereth, cannot know that he is in diſgrace with God: that the ſaying of wiſedome cannot bee applied to this, and the tranſlation doth deceiue, becauſe the Greeke word ἱλασμὸς doth not ſignifie ſinne pardoned, as the tranſlation is, but expiation or pardon, and the words of the wiſe man are an admonition to the ſinner not to lay ſinne vpon ſinne by too much confidence of pardon to come, or paſt: that it was not fit to ground an Article of faith vpon an error of an interpreter. Thus did theſame men, who then had made the vulgar edition authentical, ſpeake of it; which euery one may alſo obſerue out of the bookes printed by them, who aſſiſted at the decree of the approbation. They ſaid, that to work with feare & trembling was an Hebrew phraſe, which ſignifieth not ambiguitie, but reuerence, becauſe feare & trembling are vſed by ſeruants to their maſters, euen when they are commended by them, and know they are in fauour; that the place of S. *Paul* did fauour them, when hee ſpake of iuſtification. For ſaying I am not conſcious of any want, yet thereby am I not iuſtified, hee would inferre, but I am iuſtified by ſome thing elſe, and ſo would prooue the certaintie. But the true ſence is, that S. *Paul* ſpeaketh of defect in the office of preaching, & ſaith, my conſcience doth not accuſe me of defect in any thing, yet I dare not not ſay I haue wholly ſatisfied, but I reſerue all to the iudgement of God.

Hee that had not ſeene the memorials of thoſe who had part in theſe diſputations, and how farre different that was which they printed, would not beleeue how much was ſpoken vpon this article, and with how much heate, not onely by the Diuines, but the Biſhops alſo, all ſeeming to vnderſtand the trueth, and to haue it on their ſide: ſo that *Santa Croce* ſaw there was more neede of a bridle, then ſpurres, who deſired to make an end of it by intreating them to paſſe to ſomething elſe, and to diuert the controuerſie. It was twice propoſed in congregation of the Prelates to leaue this queſtion, as ambiguous, long, and troubleſome; yet they returned to it, being drawen by their affections. At laſt the Cardinall, ſhewing they had ſaid enough, and that they ſhould conſider againe of the things ſpoken, to reſolue on them more maturely, obtained of them to ſpeake of preparatiue workes, and obſeruation of the Law; vpon which occaſion the matter of Free will was brought in by many, and not neglected by the Cardinal, & he propoſed whether they would haue that particular alſo handled together with the reſt, becauſe it did ſo cohere with thē, that it could not be hādled ſeuerally. Therfore

1546 Prelates and Diuines were deputed to collect Articles, out of the workes of the Lutherans, that they might be cenſured.

Pavl 3. Charles 5. Henry 8. Francis 1.

The Articles were, 1. God is the totall cauſe of our workes, good and euill: and the adultery of *Dauid*, the cruelty of *Manlius*, and the treaſon of *Iudas*, are workes of God as well as the vocation of *Saul*. 2. No man hath power to thinke well or ill, but all commeth from abſolute neceſſitie, and in vs is no free will, and to affirme it, is a meere fiction. 3. Free will, ſince the ſinne of *Adam*, is loſt, and a thing onely titular, and when one doth what is in his power, hee ſinneth mortally; yea, it is a thing fained and a title without realitie. 4. Free will is onely in doing ill, and hath no power to doe good. 5. Free will mooued by God, doth by no meanes cooperate, and followeth as an inſtrument without life, or as an vnreaſonable creature. 6. That God conuerteth thoſe onely whom hee will, though they will not, and ſpurne againſt it.

Articles concerning Free will.

The diſcuſſiō of the articles

Vpon the two firſt Articles they rather ſpake in a tragicall manner, then Theologicall; that the Lutheran doctrine was a frantique wiſedome; that mans will, as they make it, is prodigious; that thoſe words, a thing of title onely, a title without realitie, are monſtrous; that the opinion is impious and blaſphemous againſt God; that the Church hath condemned it againſt the *Manichees*, *Priſcillianiſts*, and laſtly, againſt *Aballardus* and *Wigleffe*, and that it was a folly, againſt common ſence, euery one prooving in himſelfe his owne libertie; that it deſerueth not confutation, but, as *Ariſtotle* ſaith, chaſtiſement, or experimentall proofe. That *Luthers* Schollers perceiued the folly, and to moderate the abſurditie, ſaid after, that man had libertie in externall, politicall, and oecumenicall actions, and in matters of ciuill iuſtice, that which euery one but a foole knoweth to proceede from counſell and election, but denied libertie in matters of diuine iuſtice onely.

Marinarus ſaid, that as it is fooliſh to ſay, no humane action is in our power, ſo it is no leſſe abſurd to ſay that euery one is, euery one finding by experience that hee hath not his affections in his power; that this is the ſence of the Schooles, which ſay, that wee are not free in the firſt motions; which freedome becauſe the Saints haue, it is certaine, that ſome freedome is in them, which is not in vs. *Catarinus*, according to his owne opinion, that without Gods ſpeciall aſſiſtance, a man cannot doe a morall good, ſaid there was no liberty in this, and therefore that the fourth Article was not ſo eaſily to bee condemned. *Vega*, after hee had ſpoken with ſuch ambiguitie, that hee vnderſtood not himſelfe, concluded, that betweene the Diuines and the Proteſtants there was no difference of opinion. For theſe concluding now that there is libertie in Philoſophicall iuſtice, and not in ſupernaturall, in externall workes of the Law, not in externall and ſpirituall, it is to ſay preciſely with the Church, that one cannot doe ſpirituall works, belonging to religion, without the aſſiſtance of God. And though he ſaid that all indeuour was to be vſed for compoſition, yet hee was not gratefully heard, it ſeeming in ſome ſort a preiudice, that any of the differences might bee reconciled; and they were wont to ſay, that this is a point of the Colloquies, a word abhorred, as if, by that, the Laitie had vſurped that authorie which is proper to Councels.

A great

A great disputation arose amongst them, whether it be in mans power to beleeue or not beleeue. The Franciscans following *Scotus*, did deny it; saying, that as knowledge doth necessarily follow demonstrations, so faith doth arise necessarily from persuasions, and that it is in the vnderstanding, which is a naturall agent, and is naturally mooued by the obiect. They alledged experience, that no man can beleeue what hee will, but what seemeth true; adding that no man would feele any displeasure, if hee could beleeue hee had it not. The Dominicans said, that nothing is more in the power of the will then to beleeue, and, by the determination and resolution of the will onely, one may beleeue the number of the starres is euen. 1546 Paul 3. Charles 5. Henry 8. Francis 1.

Vpon the third Article, whether free-will be lost by sinne, very many authorities of Saint *Austine* beeing alledged, which expressely say it, *Soto* did inuent, because he knew no other meanes to auoyd them, that true liberty is equiuocall; for either it is deriued from the Noune, *Libertas, freedome*, or from the Verbe, *Liberare, to set free*: that in the first sence it is opposed to necessity, in the second to seruitude; and that when Saint *Austine* saide, that free-will was lost, he would inferre nothing else, but that it is made slaue to sinne and Satan. This difference could not be vnderstood, because a seruant is not free, for that he cannot doe his owne will, but is compelled to follow his Masters; and by this opinion *Luther* could not bee blamed for intitling a booke, of *seruill will*.

Many thought the fourth Article absurd; saying, that liberty is vnderstood to bee a power to both the contraries: therefore that it could not bee said to bee a liberty to euill, if it were not also to good. But they were made to acknowledge their error, when they were told that the Saints, and blessed Angels in heauen, are free to doe good, and therefore that it was no inconuenience that some should be free only to doe euill.

In examining the fifth and sixt Articles, of the consent which free-will giueth to diuine inspiration, or preuenting grace, the Franciscans and Dominicans were of diuers opinions. The Franciscans contended that the will beeing able to prepare it selfe, it hath liberty much more to accept or refuse the diuine preuention, when God giueth assistance, before it vseth the strength of nature. The Dominicans denied that the workes preceding the vocation are truely preparatory, and euer gaue the first place to God. Notwithstanding there was a contention betweene the Dominicans themselues. For *Soto* defended, that although a man cannot obtaine grace, without the speciall preuenting assistance of God, yet the will may euer some way resist and refuse it, and when it doth receiue it, it is because it giueth assent, and doth will so: and if our assent were not required, there would be no cause why all should not bee conuerted. For, according to the Apocalyps, GOD standeth alwayes at the gate, and knocketh: and it is a saying of the Fathers, now made common, that God giueth grace to euery one that will haue it, and the Scripture doth alwayes require this consent in vs; and to say otherwise were to take away the liberty of the will, and to say that God vseth violence.

Friar *Aloisius Catanea* said to the contrary, that God worketh two sorts of preuenting grace in the minde, according to the doctrine of Saint *Thomas*;

1546
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

the one ſufficient, the other effectuall; to the firſt the will may conſent or reſiſt, but not to the ſecond, becauſe it implieth contradiction that efficacity can be reſiſted. For proofe he alledged places of Saint *Iohn*, Saint *Paul*, and very cleere expoſitions of Saint *Auſtine*. Hee anſwered, that it ariſeth hence that all are not conuerted, becauſe all are not effectually preuented. That the feare of ouerthrowing free-will is remooued by Saint *Thomas*, that things are violently mooued by a contrary cauſe, but neuer by their owne: and God being the cauſe of the will, to ſay it is mooued by God, is to ſay it is mooued by it ſelfe. And hee condemned, yea mocked the Lutheranes manner of ſpeech, that the will followeth, as a dead or vnreaſonable creature; for being reaſonable by nature, mooued by its owne cauſe, which is God, it is mooued as reaſonable, and followeth as reaſonable. And likewiſe that God conuerteth, though men will not, and ſpurne at him. For it is a contradiction that the effect ſhould ſpurne againſt the cauſe. That it may happen that God may effectually conuert one, that before hath ſpurned againſt ſufficient preuention; but afterwards cannot, becauſe a gentleneſſe in the will moued, muſt needs follow the efficacie of the diuine motion.

Soto ſaid, that euery diuine inſpiration was onely ſufficient, and that that whereunto freewil hath aſſented, obtaineth efficiencie by that conſent, without which it is vneffectuall, not by the defect of it ſelfe, but of the man. This opinion he defended very fearefully, becauſe it was oppoſed, that the diſtinction of the reprobate from the elect, would proceede from man, contrary to the perpetuall Catholique ſence, that the veſſels of mercy are diſtinguiſhed, by grace, from the veſſels of wrath. That Gods election would be for workes foreſeene, and not for his good pleaſure. That the doctrine of the Fathers, and of the African and French Councels againſt the Pelagians, hath alwayes publiſhed, that God maketh them to will, which is to ſay, that he maketh them conſent. Therefore giuing conſent to vs, it ought to be attributed to the diuine power; or elſe he that is ſaued would no more bee obliged to God, then he that is damned, if God ſhould vſe them both alike.

But, notwithſtanding all theſe reaſons, the contrary opinion had the generall applauſe, though many confeſſed, that the reaſons of *Catarea* were not reſolued, and were diſpleaſed that *Soto* did not ſpeake freely, but ſaid that the will conſenteth in a certaine maner, ſo that it may in a certaine maner reſiſt: as though there were a certaine maner of meane betweene this affirmation and negation. The free ſpeech of *Catarea*, and the other Dominicans, did trouble them alſo, who knew not how to diſtinguiſh that opinion, which attributeth iuſtification to conſent, from the Pelagian: and therefore they wiſhed them to take heed of leaping beyond the marke, by a too great deſire to condemne *Luther*; that obiection being eſteemed aboue all, that, by this meanes, the diuine election or predeſtination, would be for works foreſeene; which no Diuine did admit. This drew them to ſpeake alſo of Predeſtination.

Articles concerning predeſtination drawen out of the writings of the *Zuinglians*.

Therefore it was determined, by reaſon of the connexion, to draw Articles, in this ſubiect, alſo from the doctrine of the Proteſtants. In the bookes of *Luther*, in the *Auguſtan* confeſſion, and in the *Apologies*, and *Colloquies*, there was nothing found that deſerued cenſure; but much in the writings of the

Zuinglians

Zainglians; whence these following Articles were drawen. 1. For predestination and reprobation, that man doth nothing, but all is in the will of GOD. 2. The predestinated cannot be condemned, nor the Reprobate saued. 3. The elect and predestinated onely are truly iustified. 4. The iustified are bound by faith to beleeue they are in the number of the predestinated. 5. The iustified cannot fall from grace. 6. Those that are called, and are not in the number of the predestinated, doe neuer receiue grace. 7. The iustified is bound to beleeue, by faith, that hee ought to perseuere in iustice vntill the end. 8. The iustified is bound to beleeue for certaine, that, in case he fall from grace, he shall receiue it againe. 1546 Pavl. 3. Charles 5. Henry 8. Francis 1.

In examining the first of these Articles, the opinions were diuers. The most esteemed Diuines amongst them thought it to be Catholique; and the contrarie hereticall; because the good schoole Writers, Saint *Thomas*, *Scotus*, and the rest, do so thinke; that is, that GOD, before the creation, out of the masse of mankind, hath elected, by his onely and meere mercy, some for glory, for whom he hath prepared, effectually, the meanes to obtaine it; which is called to predestinate. That their number is certaine and determined, neither can there any be added. The others not predestinated cannot complaine, for that GOD hath prepared for them sufficient assistance for this, though indeed none but the elect shall be saued. For the most principall reason, they alleadged, that Saint *Paul* to the *Romans*, hauing made *Iacob* a patterne of the predestinated, and *Esau* of the Reprobate, he produceth the decree of GOD, pronounced before they were borne, not for their workes, but for his owne good pleasure. To this they ioyned the example of the same Apostle, that as the Potter, of the same lumpe of clay, maketh one vessell to honor, another to dishonour, so GOD of the same masse of men, chuseth and leaueth whom he listeth. For proofe whereof S. *Paul* bringeth the place, where GOD saith to *Moses*, *I will shew mercy on whom I will shew mercy, and I will shew pitie, on whom I will shew pitie.* And the same Apostle concludeth, that *it is not of him, that willeth, or of him that runneth, but of God who sheweth mercie*: adding after, that *God sheweth mercie on whom he will, and hardeneth whom he will.* They said further, that for this cause the counsell of the diuine predestination, and reprobation, is called, by the same Apostle, the height and depth of wisedome, vnsearchable, and incomprehensible. They added places of the other Epistles, where he saith, *We haue nothing but what wee haue receiued from God*, that *wee are not able of our selues, so much as to thinke well*, and where, in giuing the cause why some haue reuolted from the faith, and some stand firme, he said, it was because *the foundation of God standeth sure, and hath this seale, the Lord knoweth who are his.* They added diuers passages of the Gospell of Saint *Iohn*, and infinite authorities of Saint *Austin*, because that Saint wrote nothing in his old age, but in fauour of this doctrine. The discussion of the Articles.

But some others, though of lesse esteeme, opposed this opinion, calling it hard, cruell, inhumane, horrible, impious, and that it shewed partialitie in GOD, if, without any motiue cause, he elected one, and reiected another; & vniust, if he damned men for his owne will, and not for their faults, and had created so great a multitude to condemne it. They said it destroyed free will,

because

1546 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

becauſe the elect cannot finally doe euill, nor the reprobate good; that it caſteth men into a gulfe of deſperation, doubting that they bee reprobates; that it giueth occaſion to the wicked of bad thoughts, not caring for penance, but thinking that if they be elected, they ſhall not periſh, if reprobates, it is in vaine to doe well, becauſe it will not helpe them. They confeſſed, that not only workes are not the cauſe of Gods election, becauſe that is before them, and eternall, but that neither works foreſeene can moue GOD to predeſtinate, who is willing, for his infinite mercy that all ſhould be ſaued; and to this end prepareth ſufficient aſſiſtance for all, which euery man, hauing free will, receiueth or refuſeth, as pleaſeth him: and GOD, in his eternity, foreſeeth thoſe who will receiue his helpe, and vſe it to good, and thoſe who will refuſe; and reiecteth theſe, electeth and predeſtinateth thoſe. They added, that otherwiſe there was no cauſe why GOD in the Scripture ſhould complaine of Sinners, nor why he ſhould exhort all to repentance and conuerſion, if they haue not ſufficient meanes to get them: that the ſufficient aſſiſtance, inuented by the others, is vnſufficient, becauſe in their opinion, it neuer had or ſhall haue any effect.

The firſt opinion as it is myſticall, and hidden, keeping the mind humble and relying on GOD, without any confidence in it ſelfe, knowing the deformity of ſinne, and the excellency of diuine grace, ſo this ſecond was plauſible and popular, cheriſhing humane preſumption, and making a great ſhew; and it pleaſed more the preaching Fryars, then the vnderſtanding Diuines. And the Courtiers thought it probable, as conſonant to politique reaſons. It was maintained by the Biſhop of *Bitonto*, and the Biſhop of *Salpi* ſhewed himſelfe very partiall. The defenders of this, vſing humane reaſons, preuailed againſt the others, but comming to the teſtimonies of the Scripture, they were manifeſtly ouercome.

Catarinus holding the ſame opinion, to reſolue the places of Scripture, which troubled them all, inuented a middle way: that GOD, of his goodneſſe, hath elected ſome few, whom he will ſaue abſolutely, for whom hee hath prepared moſt potent, effectuall, and infallible meanes; the reſt he deſireth for his part they ſhould be ſaued, and, to that end, hath prouided ſufficient meanes for all, leauing it to their choice to accept them, and be ſaued, or refuſe them and bee damned. Amongſt theſe there are ſome who receiue them & are ſaued, though they be not of the number of the elect; of which kind there are very many. Others refuſing to cooperate with God, who wiſheth their ſaluation, are damned. The cauſe why the firſt are predeſtinated, is onely the will of GOD; why the others are ſaued, is the acceptation, good vſe, and cooperation with the diuine aſſiſtance, foreſeene by GOD; why the laſt are reprobated, is the foreſeeing of their peruerſe will, in refuſing, or abuſing it. That Saint *Iohn*, Saint *Paul*, and all the places of Scripture, alleadged by the other part, where all is giuen to GOD, and which doe ſhew infallibilitie, are vnderſtood onely of the firſt, who are particularly priuiledged; and in others, for whom the common way is left, the admonitions, exhortations, and generall aſſiſtances are verified, vnto which hee that will giue eare and follow them, is ſaued, and he that will not periſheth by his own fault. Of thoſe few, who are priuiledged aboue the common condition,

the

the number is determinate, & certaine with God, but not of those who are saued by the cómon way depending on humane liberty, but only in regard of the foreknowledge of the workes of euery one. *Catarinus* said he wondred at the stupidity of those, who say the number is certaine & determined, and yet they adde that others may be saued; which is as much as to say that the number is certaine, and yet it may be inlarged; and likewise of those who say, that the reprobates haue sufficient assistance for saluation, though it bee necessary for him that is saued to haue a greater, which is to say, a sufficient vnsufficient. 1546 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

Hee added that Saint *Austins* opinion was not heard of before his time, and himselfe confesseth, it cannot be found in the workes of any, who wrote before him, neither did himselfe alwayes thinke it true, but ascribed the cause of Gods wil to merits, saying; God taketh cópassion on, and hardeneth whom hee listeth. But that will of GOD cannot bee vniust, because it is caused by most secret merits; and that there is diuersitie of sinners; some, who though they bee iustified, yet deserue iustification. But after, the heate of disputation against the Pelagians transported him to thinke, and speake the contrary. Yet when his opinion was heard, all the Catholikes were scandalized, as S. *Prosperus* wrote to him. And *Genadius* of *Marseilles* 50. yeeres after, in his iudgement which hee maketh of the famous writers, said that it happened to him, according to the wordes of *Salomon*, that in much speaking one cannot auoide sinne, and that, by his fault, exaggerated by the enemies, the question was not then risen, which might afterwards bring forth heresie; whereby the good Father did intimate his feare, of that which now appeareth, that is, that, by that opinion, some Sect, and diuision might arise.

The censure of the second Article was diuers, according to the three related opinions. *Catarinus* thought the first part true, in regard of the efficacie of the Diuine will, towards those who were particularly fauoured; but the second false, concerning the sufficiencie of Gods assistance vnto all, and mans liberty in cooperating. Others, ascribing the cause of Predestination in all to humane consent, condemned the whole Article, in both parts. But those that adhered to S. *Austin*, and the common opinion of the Theologues, did distinguish it, and said it was true in a compounded sence, but damnable in a deuided: a subtiltie which confounded the mindes of the Prelates, and his owne, though hee did exemplifie it, by saying; hee that mooueth cannot stand still, it is true in a compound sence, because it is vnderstood, while hee moueth; but in a diuided sence it is false, that is in another time. Yet it was not well vnderstood, because applying it to his purpose, it cannot bee said, that a man predestinated can bee damned, in a time when he is not predestinated, seeing hee is alwayes so: and generally the diuided sence hath no place where the accident is inseparable from the subiect. Therefore others thought to declare it better, saying that God gouerneth and mooueth euery thing, according to its poper nature, which, in contingent things, is free, and such, as that the acte may consist together with the power to the opposite; so that with the act of predestination, the power to reprobation and damnation doeth stand. But this was worse vnderstood then the first.

The other Articles were censured with admirable concord. Concerning

1546
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

ning the third and sixt, they sayd it hath alwayes been an opinion in the Church, that many receiue diuine grace, and keepe it for a time, who afterwards doe lose it, and in fine are damned. There was alleadged the example of *Saul*, *Salomon*, and *Iudas*, one of the twelue, a case more euident then all, by the words of Christ to the Father; *I haue kept in thy Name all that thou hast giuen mee, of which not one hath perished, but the sonne of perdition.* To these they added *Nicholas*, one of the seuen Deacons, and others first commended in the Scriptures, and then blamed; and for a conclusion of all, the fall of *Luther*. Against the sixt they particularly considered, that vocation would bee an impious derision, when those that are called, and nothing is wanting on their side, are not admitted: that the Sacraments would not bee effectuall for them; all which things are absurd. But for censure of the first, the authoritie of the Prophet was brought, directly contrary in termes, where God saith, that, *if the iust shall abandon iustice, and commit iniquitie, I will not remember his good workes.* The example of *Dauid* was added, who committed murther and adultery; of *Magdalene* and Saint *Peter*, who denied Christ. They derided the follies of the Zuinglians, for saying the iust cannot fall from grace, and yet sinneth in euery worke. The two last were vniformely condemned of temeritie, with exception of those vnto whom God hath giuen a speciall reuelation, as to *Moyses* and the Disciples, to whom it was reuealed that they were written in the booke of heauen.

The examination of the Diuines, concerning Free will and Predestination, beeing ended, and the *Anathematismes* in those matters framed, they were ioyned to those of iustification, according to their fit places. Whereunto opposition was made by some in one part, by some in another, where there appeared any word which might preiudicate their opinion. But *Iacobus Coccius*, Archbishop of *Corfu*, considered, that, by the Theologues, the Articles were censured, with many limitations and amplifications, which ought to bee inserted in the *Anathematismes*, that the proposition might not absolutely bee condemned, which might receiue a good construction; and the rather, because it is humanitie, to make the most fauourable interpretation, and charitie, not to thinke euill. Diuers did contradict; first in regard of the practise of the ancient Councels, which haue condemned heretical propositions without limitation, naked, as they haue been deliuered by the heretikes; especally because it is sufficient in matter of faith, for condemning an article, that it hath one false sence, which may cause the vnaduised to erre. Both the opinions seemed reasonable; the first, because it was fit to knowe which sence was condemned, the second, because it was not for the honour of the Councel, to limit the propositions of heretikes. Hereunto was added, that all the Canons were thus composed, reciting the opinion which was to be condemned, and alleadging, for cause thereof, the places of Scripture, and doctrine of the Church, vnto which it was opposite. The Canons were made, according to the forme of the Councell of *Orange*, like to those of originall sinne, in the preceding Session. But the reading of them prooued long and tedious, and the mixture of trueth and falshood, of things reprooued and approoued not very intelligible, the Bishop of *Sinigaglia* put them fitly in minde of a remedie for both the inconueniences; that it was better to

separate

ſeparate the Catholike doctrine from the contrary, and make two Decrees; in one to make a continuated declaration, and confirmation of the doctrine of the Church, in the other to condemne, and *anathematize* the contrary. The aduiſe pleaſed all, and ſo it was reſolued; and firſt the *anathematiſmes* were framed a part, and then paines taken to make the other Decree. And this they called the Decree of the doctrine, and that the Canons; which ſtile was after followed in the ſecond and third conuocation of the Councell. 1546 PAVL 3. CHARLES 5. HENRIE 8. FRANCIS 1.

The Decree of the doctrin and the Canons.

Santa Croce tooke incredible paines to make the Decrees, auoyding, as much as was poſſible, to inſert any thing controuerſed among the Schoolemen, and ſo handling thoſe which could not bee omitted, as that euery one might be contented; in euery Congregation he obſerued what was diſliked by any, and tooke it away, or corrected it, as hee was aduiſed: and he ſpake not onely in the Congregations, but with euery one in particular, was informed of all the doubts, and required their opinions: he diuerſified the matter with diuers orders, changed ſometimes one part, ſometimes another, vntill hee had reduced them to the order in which they now are, which generally pleaſed and was approued by all. It is certaine, that to determine theſe things, Congregations were held, conſiſting partly of Theologues, partly of the Prelates, to the number of one hundred, and that, from the beginning of September vntill the end of Nouember, there paſſed not a day, in which the Cardinall did not meddle with that which was done before, and change ſomething. The memoriall of theſe mutations remayneth: whereof I will rehearſe two, as a taſt of many, which it would bee tedious to recount. In the firſt point of doctrine, it was firſt written, by common conſent, that neither the Gentiles, by vertue of nature, nor the Iewes, by the law of *Moſes*, could free themſelues from ſinne; and becauſe many did hold that circumciſion did remit ſinnes, they ſuſpected that theſe words might preiudice their opinion, though S. *Paul* hath, in expreſſe termes, ſaid the ſame, in more then one place. The Cardinall, to ſatisfie theſe men, in the place where it was ſaid (*Per ipſam etiam legem Moyſi*) changed and ſaid (*Per ipſam etiam literam legis Moyſi*:) and euery ordinary Diuine might eaſily iudge, how well the word *literam* did befit that place. In the beginning of the eight point, thoſe that maintayned certainty of grace, were not contented it ſhould bee ſaide, A mans ſinnes are not remitted by the certainty of remiſſion, and becauſe one is confident in it. And the Cardinall gaue them ſatisfaction, by excluding the reall certainty, and putting in the roome, boaſting, and confidence in that onely. And in the concluſion of that point, euery one might plainely ſee, that the cauſe ought to haue beene giuen, for that no man can certainely know that he hath obtayned grace. But to ſatisfie one part, hee added, certainety of faith; and the Dominicans, thinking this was not enough, vrged him to adde Catholique. But becauſe the adherents of *Catarinus* were not contented, in ſtead of thoſe words, Catholique faith, it was ſaid, Faith, which cannot be ſubiect to falſehood. This contented both ſides. For one party inferred, then, that certainty of faith which can be had herein, may bee falſe, and therefore is vncertaine; the other inferred, that this certainty could haue no doubt of falſehood while it remained, but by changing from the ſtate

Santa Croce tooke great paines to giue euery one ſatisfaction in making the Decrees.

of grace

1546 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

of grace to the State of ſinne, it may become falſe, as all contingent truthes, by alteration of their ſubiects, are made falſe. But the Catholike faith is not onely certaine, but vnchangeable, becauſe the ſubiect of it are things neceſſary, or paſt, which cannot be altered.

And truly, conſidering theſe particulars, it is not fit to rob the Cardinall of his due praiſe, who knew how to ſatisfie men, euen obſtinate in contrary opinions. And thoſe that would be better informed herein, may vnderſtand, that, immediatly after the Seſſion, Fryar *Dominicus Soto*, principall of the Dominicans, wrote three bookes, and did intitle them, of Nature and Grace, for commentary of this doctrine; and, in his expoſitions, all his opinions are found. When this worke was publiſhed, Fryar *Andrew Vega*, the moſt eſteemed of the Franciſcans, ſet forth fifteene great bookes, for Commentaries vpon the ſixteene points of that decree, and did expound it all according to his owne opinion. Theſe two opinions doe not onely differ, almoſt in all the Articles, but, in many of them, are expreſly contrary. Both which workes were printed in the yeere 1548. and he that ſhall reade them, obſeruing that they doe giue, very often, interchangeable and doubtful ſences to the wordes of the Councell, wil maruaile how theſe two perſons, the chiefe for learning, and eſtimation, who had greater part therein then others, did not know the onely ſence, and true ſcope of the Synode: of which alſo, ſome few others, of thoſe that were intereſted, hauing written diuerſly, I could neuer finde, whether that aſſembly did agree in one ſence, or whether there was vnitie of words onely. But to returne to the Cardinall, when the Decree was approued by all in *Trent*, he ſent it to the Pope, and the Pope gaue it to the Fryars, and learned men of *Rome*, to be conſulted of; and it was approoued by them, becauſe euery one might vnderſtand it in his owne ſence.

Dominicus Soto, principall of the Dominicans, and *Andreas Vega*, chiefe of the Franciſcans, publiſh books as commentaries of the Decree, contrary one to another.

The Decree is ſent to *Rome* and approued there.

I haue rehearſed altogether what was done in matter of faith, that I might not diuide things that are connexed. But, in the meane time, ſome daies were ſpent about the reformation; and in thoſe Congregations it was propoſed to ſet downe the qualities, requiſite in the promotion of the greater Prelats, and Miniſters of the Church. And very graue ſayings were deliuered, with great oſtentation, but there was no way found how thoſe things, whereof they ſpoke, might be obſerued. For where the Kings haue the preſentation, they ſaw not with what bonds to tie them: where election hath place, the chapter doth conſiſt of great and mighty perſons: for the reſidue, all dignities are conferred by the Pope, and more then two thirds of the benefices are reſerued to the Apoſtolike Sea, vnto which it is not fit to preſcribe a law. Wherupon, after many and long diſcourſes, it was concluded, that it was better to leaue the buſineſſe.

Reformation is handled.

The point concerning the qualities of the Prelats is omitted.

The diſcourſes in point of reſidency, were neither fewer nor ſhorter; which ended not in the reſolution which was neceſſary, and deſired by many, and made ſome confuſion then, and prepared matter for other times. For the vnderſtanding whereof, it is neceſſary to reſume this matter from the beginning.

The point of reſidency is handled.

The Eccleſiaſticall degrees were not originally inſtituted as dignities, preheminences, rewards, or honours, as now they are, and haue beene, many hundred yeeres, but with miniſtery, and charges, otherwiſe called by Saint *Paul*,

A diſcourſe of the author concerning reſidency.

Paul, works, and thoſe that exerciſe them, are called by CHRIST our LORD in the Goſpell, Worke-men; and therefore no man could then enter into cogitation to abſent himſelfe from the execution thereof in his owne perſon: and if any one (which ſeldome happened) retired from the worke, it was not thought reaſonable, hee ſhould haue either title or profit. And though the miniſteries were of two ſortes, ſome anciently called, as now they are, with care of ſoules: others of temporall things, for the ſuſtenance and ſeruice of the poore and ſicke, as were the Deaconries, and other inferiour workes, all helde themſelues equally bound to that ſeruice, in perſon; neither did any think of a ſubſtitute, but for a ſhort time, & for great impediments, much leſſe to take another charge, which might hinder that. The Church being increaſed, where there were many Chriſtians, and free from perſecutions, another ſort of Miniſters was inſtituted, to ſerue in the Eccleſiaſticall aſſemblies, as well in reading the Diuine Scriptures, as in other functions, to ſtirre vp deuotion. There were inſtituted alſo Colledges of Miniſters, which might in common apply themſelues to ſome charge, and others as Seminaries, from whence to take Miniſters inſtructed alreadie. Theſe of the Colledges, not hauing any perſonall charge, ſeeing the Congregation did adminiſter, as well with one more, as with one leſſe, ſometimes, by reaſon of ſtudie, or greater inſtruction, or for ſome other cauſe, were abſent from the Church, one for a ſhort time, another for a long, without hauing title, charge, or profit. So Saint *Ierom*, a Prieſt of *Antioch*, but without any particular cure, and *Ruffinus*, in the ſame manner, of *Aquileia*, and Saint *Paulinus*, ordained Prieſt of *Barcellona*, did reſide but little. But when the number of them increaſed, they did degenerate, and were called vagabond Clerkes, becauſe that manner of liuing made them odious, who are often ſpoken of in the Lawes and Nouel conſtitutions of *Iuſtinian*. But neuer any thought to holde the title of an office, or inioy the profit, without doing ſeruice, but only, after the yeere ſeuen hundred, in the Weſt Church, when the Eccleſiaſticall miniſteries were changed, and made dignities, and honours, and rewards for ſeruices done. And as before a perſon was choſen fit for the neceſſitie of the Church, ſo afterward a degree, dignitie, or emolument was fitted to the qualitie of the perſon; from whence aroſe the exerciſing of the miniſterie by a ſubſtitute. This abuſe hath drawen in another by conſequence; that is, to thinke ones ſelfe diſobliged, not onely to miniſter, but to bee preſent, and aſsiſt him that laboureth in his place. And indeed where the induſtrie of the perſon is not choſen for the worke, but a place and degree is prouided for the perſon, there is no reaſon hee ſhould bee bound to labour for himſelfe, or aſsiſt him that doeth. The diſorder proceeded ſo farre, that it would haue ouerthrowen the Clergie, if the Popes had not in part reſiſted, commanding that Prelates and other Curates, though they might exerciſe the charge by ſubſtitutes, yet ſhould be tied to aſsiſtance in the place, which they called reſidence. Whereunto alſo they bound the Canons, without conſtrayning other beneficed Clerkes vnto it, not ſo much as ſpeaking of them, but leauing them to the cuſtome, or rather abuſe brought in: by which ſilence it came to paſſe, that they thought themſelues diſobliged. Neither did this voluntarie deceipt diſpleaſe the Pope, who ſaw very well that it would ende in the greatneſſe of

1546
PAVL 3.
CHARLES 5.
HENRIS 8.
FRANCIS 1.

1546 Pavl 3. Charles 5. Henry 8. Francis 1.

the Court. And hence arose the pernicious, and neuer sufficiently detested distinction, of Benefices of residence, and not residence; which followed as well indeede as in doctrine, without any blush of absurditie, which it did euidently bring with it: that is, to giue a title and salarie without Obligation. And to palliate it, or rather to make it more shamefull, whereas the Canonists haue a maxime conuincing this absurditie, that is, that euery Benefice is giuen for an office, they haue expounded it, vnderstanding by office, the houres or prayers of the Breuiarie: so that a reuenue of a thousand or tenne thousand, or more crownes is giuen for this only, to take a Breuiarie in hand, and reade as fast as one can, in a low voyce, not marking any thing but to pronounce the wordes. But the distinction of the Doctours, and the prouision of the Popes augmented the abuse in a short time: For, without those, some of the beneficed men might perhaps haue made conscience of it, but, with them, they thinke the abuse is iustified, as a thing lawfull. And for the Curates, the Popes dispensation was neuer denyed to any, that sought it by that way by which euery thing is obtained at *Rome*. So that the poore onely doe reside, and those that gaine by it: and the abuse, first a little remedied by the Popes lawes, did, by the dispensations, not only leape to the height, but spread it selfe abroad, and infected the earth. After the stirres of *Germanie* for religion, which gaue occasion to speake of and desire reformation, euery one ascribing the mischiefe to the negligence, and small care of the Prelates, desiring to see them at the gouernement of their Churches, detesting the dispensations, which caused them to bee absent, discourses were made of their Obligation; and some Pious men, amongst whom was Friar *Thomas Caietan*, Cardinall, affirmed that the Obligation of residence was by the Law of God. And it happened, as it doeth in all things, that the preceding passion perswaded the more rigid opinion, and more strict Obligation, and made the disobligation more hard. This caused them to adde vnto it, the vigor of the Law of God. The Prelates, seeing the mischiefe, and desiring it should be excuseable, and a small fault, would needes beleeue, that they were not bound by God, but by the Pope, whose dispensation, or silence, did saue them. With these preuious dispositions of doctrine, the matter was proposed in the Councell, as hath beene saide: which because it produced a small controuersie in the beginning, a greater in the progresse, and in the ende (which was in the yeeres 1562. and 1563.) greatest of all, it will not be vnseasonable to make some recapitulation, and to recount some particular occurrences.

Great controuersies in the Councell about residence

Therefore though the Articles first proposed, were but to adde greater bonds, and punishments, to the precepts; to remooue the impediments, and facilitate the execution, and all agreed, alleadging perswasions out of the old and new testament, Canons of the Councels, doctrine of the Fathers, and out of the inconueniences which sprang from the non-residencie, yet the maior part of the Diuines, especially the Dominicans, did determine that the obligation was by the Law of God. Friar *Bartholmew Loranza*, and Friar *Dominicus Soto*, Spaniards, were the most principall authors. The most grounded reasons they brought were, that Bishoprickes are founded by Christ, as ministeries and workes, and so require a personall action, which

A controuersie whether residence be *de iure Diuino*.

a man

a man abſent cannot performe, that CHRIST, deſcribing the qualitie of a good ſhepheard, ſaith, that hee giueth his life for the flocke, knoweth the ſheepe by their names, and walketh before them. The Canoniſts and Italian Prelates did diſpute, that the obligation was by the Eccleſiaſticall law, alleadging, that anciently neuer any non-reſident was reprehended as a tranſgreſſour of the Law of God, but of the Canons onely. That *Timothie*, though Biſhop of *Epheſus*, was long in his iourney, by order of S. *Paul*. That it was ſaid to Saint *Peter*, *Feede the Lambes*; which is vnderſtood of all, and yet hee cannot bee euery where preſent: ſo the Biſhop may fulfill the commandement of feeding, without reſidence. They anſwered the contrary reaſons, that the conditions of a Paſtor, propoſed by CHRIST, doe agree to none but CHRIST himſelfe.

1546
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

Friar *Ambroſius Catarinus*, though a Dominican, was contrary to the reſt. Hee ſayd, the Biſhopricke inſtituted by CHRIST is one onely, which the Pope hath: the inſtitution of the others is by the Pope; who, as hee diuideth the quantitie and number of the ſheepe to bee fed, ſo hee preſcribeth alſo the manner and qualitie. Therefore it belongeth to the Pope, to appoint euery Biſhop, to attend the flocke, by himſelfe, or his ſubſtitute, and may allot vnto him either much or little, and depriue him alſo of the power of feeding. *Thomas Campeggius*, Biſhop of *Feltre*, anſwered another way, that the Biſhop, as Saint *Ierom* teſtifieth, is the inſtitution of CHRIST, but the diuiſion of Biſhoprickes was after inſtituted by the Church: that CHRIST gaue the charge of feeding to all the diſciples, but tied them not to a place, as the actions of the Apoſtles, and of their Diſciples doe ſhew: the aſſigning of this portion of the flocke to one, and that to another, was an Eccleſiaſticall inſtitution, to gouerne better.

Theſe things were handled by the Biſhops, with much paſſion. The Spaniards did not onely adhere to, but cheriſh the opinion, that it was *de iure diuino*, hauing a ſecret, which they communicated onely amongſt themſelues, to make great the Epiſcopall authoritie. For if it were once decided that they had the charge from CHRIST to gouerne their Church, it would bee decided alſo, that they haue from him authoritie neceſſary for it, which the Pope could not reſtraine. Theſe deſeignes were ſmelled out, by thoſe that leaned to the Court, therefore, in regard of the importance of the matter, they alſo incouraged the maintainers of the contrary opinion. The Legats thought it better to withſtand the danger, by diſſembling their knowledge of it: and, aiming at this marke, ſaid for the preſent, that the matter was hard, and had need of greater examination; that where the controuerſie is betweene the Catholikes, they ought not to condemne one part, for feare of making a ſchiſme, and ſowing contentions, that they may ioyntly indeuour to confute the Lutherans. Therefore, that it were better to deferre the declaration, by what right it is due, vntil another Seſſion. Some thought it ſufficient to renew the old Canons and Decretals in this matter, and ſaid, they were ſeuere enough, becauſe they inflicted depriuation for a puniſhment, and reaſonable enough, becauſe they admitted lawfull excuſes. There remained to find a way that diſpenſations might not bee granted, and that was ſufficient. Others thought it neceſſary to adde new puniſhments,

The Spaniſh ſecret in this point.

1546 and remoue the impediments; which was of the greateſt importance, becauſe thoſe being taken away, reſidencie would follow; and that it was no matter from whence the obligation came, ſo it were executed; and that this beeing done, the matter would better be diſcuſſed. It pleaſed the maior part that the one and the other ſhould bee done: whereunto the Legates gaue conſent, vpon condition, that the diſpenſations ſhould not bee ſpoken againſt, but, to cauſe them not to be deſired, that the impediments ſhould be taken away, which come by exemptions: wherein there was as much ſpoken, and with no leſſe contention, between thoſe which held euery exemption for an abuſe, and thoſe who thought them neceſſarie in the Church, and reproued onely the exceſſes.

PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

A diſcourſe of the author concerning exemptions.

S. *Ierom* witneſſeth that in the firſt beginnings of Chriſtianity, the Churches were gouerned by a kinde of Ariſtocracie, by the common counſel of the Presbyterie: but to withſtand the diuiſions which were brought in, the monarchicall gouernement was inſtituted, giuing all the ſuperintendencie to the Biſhop, whom all the orders of the Church did obey, neither did any one thinke to withdraw himſelfe from vnder the authority. The neighbour Biſhops, whoſe Churches, becauſe they were vnder one Prouince, had commerce, did gouerne themſelues alſo in common by Synods; and to make the gouernement more eaſie, attributing much to the Biſhop of the principall Citie, they made him as it were Head of that bodie: and by a more ample communion, which all the Prouinces of one prefecture or great gouernement held together, the Biſhop of the Citie where the Ruler did reſide, gained a certaine ſuperioritie, by cuſtome. Theſe prefectures were, the Imperiall Citie of *Rome*, with the Cities adioyning; the prefecture of *Alexandria*, which gouerned *Egypt*, *Libya*, and *Pentapolis*: of *Antioch*, for *Syria*, and other Prouinces of the Eaſt: and in other leſſer prefectures, called in Greeke, Επαρχιαι, the ſame was obſerued. This gouernment, brought in, and approoued by cuſtome onely, which found it commodious, was eſtabliſhed by the firſt Councell of *Nice* vnder *Conſtantine*, and ordained by a Canon that it ſhould continue: and euery one was ſo farre from putting himſelfe out of this order, that the Biſhop of Ieruſalem hauing many honourable preheminencies, perhaps becauſe it was the place where our Sauiour CHRIST conuerſed in the fleſh, and was the fountaine of Religion, the Councell of *Nice* did ordaine that thoſe honors ſhould ſtill remaine, but ſo that nothing was detracted from the Metropolitan, then Biſhop of *Ceſarea*. This gouernement, which hath bin euer held in all the Churches of the Eaſt, was altered in the Latine, becauſe many great Monaſteries beeing built, gouerned by Abbates of great fame and worth, who, by their conſpicuous virtues, made the Biſhops afraid, there aroſe ſome emulation betweene theſe and thoſe: and the Abbates, to free themſelues from theſe inconueniences, whether reall, or fayned, and to couer their ambition, to withdraw themſelues from the ſubiection which they owed, did obtaine of Popes to bee receiued vnder the protection of Saint *Peter*, and immediately vnder the ſubiection of the Pope. This beeing profitable for the Court of *Rome*, becauſe he that obtayneth priuiledges, is bound to maintaine the authority of him that granteth them, ſuddenly all the Monaſteries were exempted. The Chap-

ters

ters also of Cathedrall Churches, consisting for the most part of Regulars, by the same pretences, did obtaine exemption. Finally, the Cluniacensian and Cistersian Congregations were all wholly exempted, with great enlargment of the Popes authority, which came to haue subiects in all places, defended and protected by the Papacy, and interchangeably defenders and protectors. The inuention was not commended by Saint *Bernard*, who liued in that time, and was of the Cistersian Congregation: yea hee admonished Pope *Eugenius* 3. to consider thereof, that all were abuses, that it ought not to be well taken if an Abbat did refuse to obey the Bishop, and the Bishop the Metropolitane: that the militant Church should take example by the triumphant, where no Angel euer said, I will not be vnder the Archangel. But *Bernard* would haue said more, if he had liued in the times following, when the Mendicant Orders, obteyned, not only a generall exemption, from the Episcopall authority, but power also to build Churches, in any place whatsoeuer, and to administer the Sacraments in them. But in these last ages the abuse went on so far, that euery petty Priest did obtaine, with a small charge, an exemption from the superiority of his Bishop, not onely in causes of correction, but also to be ordayned by whom he listeth, and in summe, not to acknowledge the Bishop at all. 1546 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

This beeing the state of the cause, and the Bishops requiring remedy, some that were more vehement, returned to the things spoken in the Congregations, that were before the other Session, against the exemption of Friars. But the wiser sort thinking it impossible to obtaine any thing, so long as the number and greatnesse of the Regular Orders continued, and fauour of the Court, they were contented to remooue onely the exemptions of the Chapters, and particular persons, and demanded a reuocation of them all. But the Legates, treating with them in particular, and putting them in mind that all the reformation could not bee made by that Session, that is was fit to begin, and leaue something for future times, made them rest contented, that the exemption of particular Priests, Friars, not inhabiting in the Cloysters, and of Chapters, only in criminall causes, should be remooued (from whence the greater disorders doe arise;) as also faculties to giue Clericall Orders to him that resideth not in his owne dioceese: promising to prouide against the other abuses in another Session. *A small reformation in matter of exemption is made.*

While these things were handled in *Trent*, the Pope hauing receiued aduise from the Cardinall *Farnese*, considering with how small reputation an Apostolique Legate did remaine in *Ratisbon*, when his souldiers were in the field, he recalled him: and, with him, a great number of Italian Gentlemen, which were of the Popes troupes, did depart. In the middest of October, the two Armies were so neere, at *Santhem*, that there was but a little riuer betweene them. And standing so, *Octauius Farnese*, sent by the Emperour with the Italians, and some Dutch men, tooke *Dauenert* in the sight of the enemy, who hauing done nothing while he was in *Saxonia* but hindered the Emperour, was constrayned in Nouember to abandon the Countrey, by reason of a great diuersion, made by the *Bohemians*, and others of the Imperiall faction, against *Saxonie*, and *Hassia*, places belonging to the two Protestants Heads; who retired to defend their owne Countries, leauing *High* *Card. Farnese, the Popes Legate with the Emperour, is recalled.*

The two Armies are neer together, and Dauenert is taken by Octauius Farnese.

High Germany is left to the Emperors discretion.

1546
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

Germanie at the Emperours discretion; and this was the cause why many Princes and Cities combined, did incline to composition with him, hauing honest caution to hold their religion. But he would not make mention thereof in writing, lest the warre should seeme to bee made for that cause, which would offend those that followed him, make others more vnwilling to render themselues, and giue suspicion to the Ecclesiastiques of *Germany*, who hoped to see the Romane rites restored in euery place. Yet his Ministers promised them all, that they should not be molested in the exercise of religion, excusing their Master, if, for many respects, he could not satisfie them, to make a capitulation thereof: and hee so caried himselfe, that his resolution appeared to giue them content, by conniuencie. By these deditions the Emperour gained much artilery, drew much money from the Cities, to the value of many hundred thousands, and, which was of greatest importance, was absolute Lord of all *High Germany*.

The Pope is ielous of the Emperor, and recalleth his forces.

This happinesse made the Pope ielous, and thinke to prouide for himselfe before all *Germany* were subdued. His souldiers vnder the conduct of his grand-child *Octauius*, were much diminished in number, by reason of those who parted with the Cardinall *Farnese*, and of others who did runne away by whole rankes, for the incommodities they suffered. The residue, in the middest of December, the Emperours Army beeing lodged neere the Village of *Sothen*, departed, by order from the Pope, from whom *Octauius* had commandement to returne into *Italy*, and to tell his Vncle, that the sixe moneths beeing ended, the Pope could no longer beare so great a charge: that the time of the obligation was ended, and that effected for which the league was made, that is, *Germany* brought into obedience.

Whereof the Emperour complayneth.

The Emperour complayned, that he was abandoned, when he had most neede of helpe. For nothing was done, so long as the Heads were not oppressed, who could not bee said to be subdued, but retired only, to defend their owne Territories; and being deliuered from feare, it was to be doubted they would returne with greater forces, and better order, then before.

The Pope iustifieth his action.

But the Pope iustified his not continuing in the league, and the departure of his men, by saying, that he was not made partaker of the composition with the Cities and Princes, which could not be established without him; and especially, because it was made with much preiudise of the Catholique faith, tolerating heresie, which might haue bene rooted out. That, according to capitulation, hee had not beene partaker of the profits of the warre, nor of the money the Countries paid which did compound; that the Emperour complayned, when himselfe was offended and disesteemed, euen with dammage of religion. Nor content with this, hee forbade the Emperour to receiue money of the Churches of *Spaine*, longer then the sixe moneths: and though the Emperours Ministers made many effectuall treaties with him, shewing that the cause continuing, for which they were granted, it required that the grant also should continue, and that all would bee in vaine and without fruit, if the warre were not ended, yet they could not remoue him from his resolution.

The *Fieschi* make a conspiracy against the *Dorij* in *Genua*, for which the Pope is blamed by the Emperour.

In *Genua*, the familie of the *Fieschi*, making a dangerous conspiracie (which had almost taken effect) against that of the *Dorij*, which followed the Emperors side, the Emperour was assured that the Popes son, the Duke of *Piacenza* was

was author of it, and beleeued that it came from the Pope, and refrained not to adde this complaint to the others. The Pope beleeued the Emperour would be busied in *Germany* a long time, and not be able to offend him with temporal forces, but feared he might trouble him by making the Protestants goe to the Councell. To separate the Councel seemed too violent and scandalous a remedy, especially hauing continued seuen moneths in a treaty, whereof nothing was published. He was of opinion to publish the things already digested, seeing that, by that declaration, either the Protestants would refuse to goe thither, or, if they went, would bee constrained to accept it; wherein the principall point of all the controuersies consisting, the victory would bee his owne. And if there were no other reason to doe it, this was sufficient to proue it was good for him, because the Emperour would not haue any controuersies decided. For the counsels of those that haue contrary ends, ought to bee contrary. Hee saw well, that the Emperour would take it for an affront. But the distasts betweene them were already so great, that little could be added to them; and the Pope, when he was pressed with reasons, which did perswade and dissuade, was wont to vse the Florentine saying, A thing done hath an head; and so to execute that which was necessary. Therefore hee wrote to the Legates in Christmas, that they should hold a Session, and publish the Decrees already framed. This commandement beeing receiued, they called a Congregation the third of Ianuary, in which hauing determined, by the vniforme consent of all, to intimate a Session for the thirteenth, in regard it was tedious to all, to remaine there so long, and resolue of nothing; the Legates did propose the publication of the Decrees framed. For those of faith, the Emperours Prelates opposed, and said, that there was no opportunity as yet, and that it sufficed to publish the reformation. But the *Papalins* vrged the contrary; alledging it was knowen to all the world, that the point of grace and iustification had beene discussed seuen moneths together, and that the Decree was established; and that it would be a derogation to the faith, if the Councel should seeme to feare the publishing of the truth, which was decided. And because these were more in number, their opinion, assisted by the Legates, preuailed. The two next Congregations were spent, in reading againe the Decrees, as well of faith as reformation: the which, some small matters beeing corrected, by the aduice of those who were not present at the first, pleased them all. The Legates, accompanied with the Prelates, went to the Church with the vsuall ceremonies, on thursday the thirteenth of Ianuary, and held the Session; where *Andreas Cornarus*, Archbishop of *Spalato*, sang Masse, *Thomas Stella*, Bishop of *Salpi*, did preach; and the Decrees of faith and reformation were read.

1547

PAVL 3. CHARLES 5. HENRIE 8. FRANCIS 1.

The Popes resolution concerning the proceeding in Councel.

The Session is held the 13. of Ianuary, and the Decrees of faith and reformation are published.

The first conteyned sixteene heads, with their prohemes, and thirty three *anathematismes*. After it had forbid to beleeue, preach, or teach, otherwise then was constituted and expressed in that Decree, it declared in substance. 1. That neither Gentiles, by natural meanes, nor Iewes, by the letter of *Moyses*, haue beene able to free themselues from sinne. 2. Whereupon GOD sent his sonne, to redeeme the one and the other. 3. Who, though he died for all, yet those onely enioy the benefit, vnto whom his merit is communicated.

1547

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

nicated. 4. That the iuſtification of the wicked, is nothing but a tranſlation, from the ſtate of the ſonne of *Adam*, into the ſtate of the adopted ſonne of God, by IESV CHRIST, which, after the publication of the Goſpel, is not done without Baptiſme, or the vow thereof. 5. That the beginning of iuſtification, in men of age, proceedeth from preuenting grace, which inuiteth to diſpoſe themſelues, conſenting, and cooperating with it freely: which they doe willingly and might refuſe. 6. The manner of the preparation, is firſt to beleeue, willingly, the diuine reuelations, & promiſes, and knowing ones ſelfe to be a ſinner, to feare hee hath not the grace of God, to turne to his mercy, to hope for pardon from him, and therefore to beginne to loue him, and hate ſinne: and finally, purpoſing to bee baptized, to begin a new life, and keepe the commandements of God. 7. That iuſtification followeth this preparation, which is not onely a remiſſion of ſinnes, but ſanctification alſo; and hath 5. cauſes: the finall, the glory of God, and eternall life: the efficient, God: the meritorie, CHRIST: the inſtrumentall, the Sacraments: and the formall, iuſtice, giuen by God, receiued according to the good pleaſure of the holy Ghoſt, and according to the diſpoſition of the receiuer, receiuing, together with remiſſion of ſinnes, faith, hope, and charity. 8. That when Saint *Paul* ſaith, that man is iuſtified by faith, and *gratis*, it ought to be vnderſtood, becauſe faith is the beginning, and the things that precede iuſtification are not meritorious of grace. 9. That ſinnes are not pardoned to him that vaunteth, and repoſeth himſelfe onely in the confidence, and certainty of the remiſſion. Neither ought it to be ſaide, that only faith doth iuſtifie, but euery one as hee ſhould not doubt of the mercy of God, the merits of CHRIST, and efficacie of the Sacraments, ſo, in regard of his owne indiſpoſition he may doubt, becauſe hee cannot know by certainty of infallible faith, that he hath obtained grace. 10. That the iuſt are more iuſtified by obſeruing the commandements of God and the Church. 11. That it cannot bee ſaide, that the commandements of God are impoſſible to the iuſt, who, though hee fall into veniall ſins, yet ceaſeth not to be ſo; that no man ought to rely on faith onely, nor ſay, that the iuſt ſinneth in euery good action, or committeth ſin, if he doe any thing for reward. 12. That no man ſhould preſume hee is predeſtinated, beleeuing that the iuſtified can ſinne no more, or ſinning, can promiſe himſelfe repentance. 13. That no man can promiſe to himſelfe abſolute certainty to perſeuere vntill the end, but ſhould put his hope in the aſſiſtance of God, who will continue, if man faile not. 14. That thoſe that are fallen into ſin may againe receiue grace, beeing ſtirred vp from aboue to recouer it by repentance, which differeth from *baptiſme*, becauſe it conteyneth not only contrition, but ſacramental confeſſion, Prieſtly abſolution, at the leaſt in vow, and ſatisfaction beſides for the temporall puniſhment, which is not alwayes remitted altogether, as in baptiſme. 15. That the grace of God is loſt, not onely by infidelity, but by any mortall ſinne, though faith be not loſt by it. 16. It propoſeth to the iuſt the exerciſe of good workes, by which eternall life is gayned, as grace promiſed by the mercy of God, and a reward due to good workes by the diuine promiſe. And it concludeth that this doctrine doth not eſtabliſh any iuſtice of our owne, refuſing the iuſtice of God, but the ſame is ſaid to bee ours,

ours, becauſe it is in vs, and of GOD, being infuſed by him for the merit of CHRIST. In fine, to make euery one vnderſtand, not only the doctrine to bee followed, but that alſo which is to be auoyded, it addeth Canons, againſt him that ſaith. 1. That a man may bee iuſtified without grace, by the ſtrength of humane nature, and doctrine of the Law. 2. That grace is giuen to liue well with greater facilitie, and to merit eternall life, as if free will can doe it, but with difficultie. 3. That a man may beleeue, loue, hope, or repent, as hee ought, without the preuention, or aſſiſtance of the holy Spirit. 4. That free will, excited by GOD, doeth not cooperate, to diſpoſe vs to grace, nor can diſſent, though it would. 5. That after the ſinne of *Adam* free will is loſt. 6. That it is not in the power of man to doe ill, but as well bad as good workes, are done, not onely by Gods permiſsion, but by his owne proper working. 7. That all workes, done before iuſtification, are ſinnes, and that a man ſinneth the more, by how much the more hee laboureth to diſpoſe himſelfe vnto grace. 8. That the feare of hell, which maketh vs abſtaine from ſinne, and to flie to the mercie of GOD, is ſinne. 9. That the wicked is iuſtified by faith onely, without preparation, proceeding from the motion of his will. 10. That man is iuſtified without the iuſtice by which CHRIST did merit for vs, or is formally iuſt by that. 11. That he is iuſtified onely by the imputation of the iuſtice of CHRIST, or onely by remiſsion of ſinnes without inherent grace and charitie; or that the grace of iuſtification is onely the fauour of GOD. 12. That iuſtifying faith is nothing but confidence in the mercy of God, who remitteth ſinnes for CHRIST. 13. That, for remiſsion of ſinnes, it is neceſſarie to beleeue they are remitted, not doubting of ones owne indiſpoſition. 14. That man is abſolued and iuſtified, becauſe hee doeth firmely beleeue it. 15. That hee is bound by faith to beleeue that hee is in the number of the predeſtinated. 16. That one may bee certaine hee hath the gift of perſeuerance, without ſpeciall reuelation. 17. That onely the predeſtinated obtaine grace. 18. That the Commandements of God are impoſſible to the iuſt. 19. That there is no other Euangelicall precept but of faith. 20. That the iuſt and perfect man is not bound to obſerue the Commandements of God and the Church, or that the Goſpel is a promiſe without condition of obſeruing the Commandements. 21. That CHRIST is giuen for a redeemer, not for a law-maker. 22. That the iuſtified may perſeuere without the ſpeciall aſſiſtance of God, or cannot with it. 23. That the iuſt cannot ſinne, or can auoyde all veniall ſinnes, without a ſpeciall priuiledge, as the Church houldeth of the Virgin. 24. That iuſtice is not preſerued and increaſed by good workes, but that they are fruits onely or ſignes. 25. That the iuſt ſinneth mortally, or venially, in euery worke. 26. That the iuſt ought not to expect a reward for his good workes. 27. That there is no mortall ſinne but infidelitie. 28. That grace being loſt, faith is loſt alſo; or that the faith remayning is not true nor of a Chriſtian. 29. That man ſinning after baptiſme, cannot bee lifted vp by the grace of God, or may recouer it by faith onely, without the Sacrament of penance. 30. That euery fault and puniſhment is wholly remitted to euery penitent man, there remaining no temporall puniſhment, to bee indured in this life, or in Purgatorie. 31. That the

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.
The Canons.

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

the iuſt ſinneth, if hee doe good, onely in hope of an eternall reward. 32. That the good workes of the iuſt, are the gifts of God, and are not withall the merits of the iuſtified. 33. That this doctrine is derogatory to the glory of God, and merits of CHRIST, or that their glory is not made more illuſtrious by it.

The authors reaſon why he rehearſeth the decrees thogh they be printed in a volume apart.

When I had made this ſhort narration of the decree, I began to thinke it ſuperfluous, ſeeing all the decrees of that Councell are printed in one volume, and in euery mans hands, and that, in the compoſition of the Actes that follow, I might referre my ſelfe to that booke: and I was about to teare this leafe. But conſidering that ſome might deſire to reade the whole continuation in one booke onely, and that if any thought it better to ſee the originall, hee might omit this mine abbreuiation, I reſolued not to change, but to obſerue the ſame ſtile in the matters following: and the rather, becauſe I am grieued, when, in *Zenophon* or *Tacitus*, I ſee the narration of things, moſt knowen to their times, omitted, which remaineth vnknowen to mee, becauſe there is no meanes to know it againe: and I hold it for a maxime, that one ought neuer to referre himſelfe to another. Therefore I come to the ſumme of the decree of reformation.

The Decree of reformation.

Which did containe in ſubſtance; 1. That the Synod being willing to amend the depraued manners of the Clergie and people, thought fit to begin with the gouernours of the greater Churches. Therefore truſting in God, and his Vicar on earth, that that charge ſhall be giuen to worthy men, exerciſed from their youth in Eccleſiaſticall diſcipline, it doth admoniſh them to performe their duetie, which cannot be executed, without reſiding in the place, where it is to bee done: Yet many, leauing the flocke, and care of the lambes, wander in Courts, and applie themſelues to ſecular buſineſſe. Therfore the Synod doth reuiue all the ancient Canons againſt non-reſidēts, and doth conſtitute beſides, that euery gouernour of a Cathedrall Church, of what title or preeminencie ſoeuer, who ſhall remaine ſixe moneths together out of his Dioceſſe, without a iuſt and reaſonable cauſe, ſhall loſe the fourth part of the reuenues, and if hee perſeuere ſixe moneths more, ſhall loſe another fourth part, and the contumacie increaſing, the Metropolitane, vpon paine of not entring into the Church for three moneths, ſhall delate him to the Pope, who, by his ſupreame authoritie, may inflict greater puniſhment, or prouide the Church of a more profitable Paſtor. And if the Metropolitan ſhall likewiſe offend, the moſt ancient Suffragan ſhall bee bound to denounce him.

2. But others, inferiours to Biſhops, tied to reſidence either by law or cuſtome, ſhall bee compelled thereunto by the Biſhops, abrogating euery priuiledge which giueth a perpetuall exemption from reſiding. But diſpenſations granted for a time, for a reaſonable cauſe, true, and prooued before the Ordinarie, ſhall remaine in force, and the Biſhop, as Delegate of the Apoſtolike Sea, ſhall take care that a ſufficient Vicar bee prouided for the charge of ſoules, with a conuenient portion of the reuenues, notwithſtanding any priuiledge or exemption.

3. Beſide that no Clerke, by perſonall priuiledge, or regular dwelling out of the Monaſterie, by priuiledge of his order, ſhall bee exempt from being

beeing punished, if he offend, or visited, or corrected by his Ordinary. 1547
4. Likewise that Chapters of Cathedrall and other Collegiate Churches, shall not, by vertue of exemption, customes, oathes, and agreements, bee freed from the visitation of their Bishops, and greater Prelates, when there shall be need. PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

5. In fine, it did ordaine that no Bishop might exercise Pontificall acts in the dioceſse of another, by pretence of priuiledge, without his leaue, and onely ouer his subiects. And the day of the next Session was appointed the third of March. The next Session to bee held the 3. of March.

In *Rome*, the Decree of faith ministred no matter of discourse, in regard it was not new, as well because it had beene seene, and examined publikely (as hath beene said) as because all men knew that the Germane opinions were to bee condemned. But the Court Bishops, who had beene afraid a long time of the Article of residencie, which was handled, did rest content, assuring themselues that the Decree of the Councel, could worke no greater effect, then the Popes Decretals had done before. But the inferiour Courtiers were discontented, seeing the Bishop had power to compell them. They lamented their owne misery, who were to serue all their life to gaine their liuing, and after so much paines taken, for a reward, must be confined in a village, or, by a base Canonrie, subiected to a greater slauery, in obeying the Bishops, who will not onely keepe them, as it were, tied to a stake, but with visitations, and pretence of corrections, will bring them to a miserable subiection, or hold them in perpetuall vexations, and charge. The inferiour Courtiers are discontented with the reformation.

But elſe where, and especially in *Germany*, when the Decrees were seene, that of faith was more spoken of: which must bee read ouer and againe, with much attention and speculation, because it could not bee vnderstood without a perfect knowledge of the inward motion of the mind, and without knowing in whom it is actiue, in whom passiue, things most subtile, and, for the diuers appearance they make, euer accounted disputable; all the doctrin of the Councel turning vpon this hinge, whether the first obiect of the will worke vpon the will, or the will vpon the obiect, or whether they bee both actiue and passiue. Some pleasant wits said, that if the Astrologers, not knowing the true causes of the celestiall motions, to salue the appearances, haue inuented *Eccentriques*, and *Epicicles*, it was no wonder if the Councel, desiring to salue the appearances of the super-celestiall motions, did fall into *excentricitie* of opinions. The Gramarians did not cease to admire and scoffe the artifice of that proposition, which is in the fifth chapter, *Neque homo ipse nihil omnino agat*; which they saide was not intelligible, and without example. For if the Synode would signifie: *Etiam homo ipse aliquid agat*; it might say so plainely, as is fit to doe in matter of faith, where the more simple expression is the better; and if they would vse an elegancie, they might say, *Etiam homo ipse nihil agat*. But the word (*omnino*) beeing interposed, that speech is incongruous and without sence, as all are which haue two negatiues that cannot bee resolued into an affirmatiue. For to resolue that, one must say, *Etiam homo ipse aliquid omnino agat*, which is incongruous, and not to bee vnderstood, what *aliquid omnino* may signifie heere. For it would say The Decrees are censured in *Germany*.

that

1547 Pavl 3. Charles 5. Henry 8. Francis 1.

that a man hath an action in a certaine kinde, which in another kinde is no action.

The Fathers were defended, by saying, that to examine the forme of Speech so seuerely, was nothing but to cauill. Whereunto they replyed that a gentle interpretation was due vnto vsuall formes of speach, but that it is a publique vtilitie to discouer the artifice of him, that, leauing the cleere and vsual phrases, inuenteth those that are incongruous, and containe in them contradiction, to cauill, and to play on both sides.

Those that vnderstood Theologie said, that the doctrine, that a man may alwayes refuse diuine inspirations, was contrary to the publike, and ancient prayer of the Church. *Et ad te nostras etiam rebelles compelle propitius voluntates*: Which is not fit we should say is a vaine desire, but that it is made by faith, as S. *Iames* saith, and granted by God to his elected. They added that one could no more say with Saint *Paul*, that it commeth not from man which doeth separate the vessell of wrath from those of Gods mercie, that which separateth being that humane, *Non nihil omnino*. Many did consider that place of the seuenth Chapter, where it is sayd, Iustice is giuen by measure, according to the good pleasure of God, and the disposition of the receiuer; both which things cannot bee true. For if it pleased God to giue more to him that were lesse disposed, it would not bee by measure of the disposition; and if it bee by the measure of that, there is alwayes the motiue by which God worketh, and doeth not vse his good pleasure. They marueiled that those were condemned, who sayde that the Precepts of God were impossible to bee kept; seeing that the same Councell, in the Decree of the second Session, exhorteth the faithfull assembled in *Trent*, that, repenting, confessing, and communicating, they should obserue the Commaundements of God, *Quantum quisquis poterit*. Which modification would be impious, if the iustified could keepe them absolutely; and they noted that the same word, *Precepta*, was there, to take away all cauill.

Those that were read in the Eccleſiasticall Storie, saide, that in all the Councels, held in the Church, from the Apostles time vntill now, there were neuer so many Articles decided, as in this Session onely; in which *Aristotle* had a great part, by hauing exactly distinguished all the kindes of causes, which if hee had not done, wee had wanted many Articles of Faith.

The Polititians also, though they ought not to examine matters of Religion, but simply follow them, yet found matter of discourse in this Decree. For seeing, in the tenth Chapter, the Obligation of obeying the Commandements of GOD and the Church, and the same replyed in the twentieth Canon, they were scandalized, because there was no mention of Obligation to the commandements of Princes and Magistrates. They said that obedience vnto these is more plainely set downe in the Scripture; that the olde Law is full of it; that the doctrine is cleere in the new Testament, expressed, and handled at large by CHRIST himselfe, by Saint *Peter*, and Saint *Paul*. That there is found an expresse Obligation to heare the Church, but none expresse to obey it. Hee is obeyed who commandeth of his owne power, and hee is heard who doeth promulgate that which belongeth to another man. Neither

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

But to returne to the Councell, the day after the Session a generall Congregation was assembled, to deliberate of, and put in order the matter to be digested in the next Session, and, for matter of faith, it being already determined to follow the confession of *Ausburg*, the first point was of Ecclesiasticall ministery, which the Lutherans say is authority to preach the Gospell, and to administer the Sacraments; and some resting vpon the first part, did propose that the Ecclesiastical authoritie should be handled, declaring all those functions, spiritual and temporall, which God hath giuen them ouer the faithfull, and are denied by the Lutherans. And this did generally please the Prelates, because it was a matter of an easie vnderstanding, without any crabbednesse of the Schoole, and where themselues might haue a part. But it was not gratefull to the Diuines, because those things were not handled in the Schooles; so that they should haue nothing to dispute, and must referre themselues for the most part to the Canonists. They said that the Augustanes doe not handle all Ecclesiasticall authoritie, but that onely of preaching; whereof there was as much decreed in the last Session as was sufficient; but in the second part there was matter that did cohere with iustification, that is, the Sacraments, which are the meanes to be iustified, and said it was more fit to make these the subiect of the next Session. The Legats, and their dependants adhered hereunto, in shew for the same reasons, but indeede for another more potent, because, in the other consideration, they might haue handled the authoritie of Councels, and of the Pope, and proposed many hard matters, not fit to bee mooued.

The subiect of the next Session is the Sacraments. The Legates desire to preuent y handling of the authoritie of the Councell and Pope.

Hauing resolued to handle the matter of the Sacraments, it was considered that it was various and ample, not possible to bee comprehended in a Session, nor easie to bee determined into how many parts it ought to bee diuided. The Augustans made it short by taking away foure Sacraments, of which they ought to treate more exactly, to reestablish them: therefore that it was good to begin to discusse the Sacraments in general, & charge was giuen to put in order the Articles drawen out of the Lutheran doctrine, descending also to the sacramẽts in particular, of as many as seemed easie to discusse: and that the reformation might follow the definition of faith and doctrine, the abuses, occurring in the ministery of the Sacraments, should be put together, ordaining a Congregation of Prelates and Canonists to discourse of the remedies, and to frame the Decrees, with order, that if they both happned on the same day, *Santa Croce* should bee President of the Theologues, and *Monte* of the Canonists, and both together in the generall Congregation. But beside this, in regard of the promise to continue the matter of residencie, some of the most principall Articles thereof were to bee handled. In this it was not so easie to agree, because the Legates and their adherents had contrary ends to the other Bishops.

The Spanish Prelats hope to regaine Episcopall authoritie.

These began to hope, and to ayme, almost all, but especially the Spaniards, to regaine the Episcopal authoritie, which anciently euery one did exercise in his owne Dioceese, when the reseruations of Benefices, of Cases, or of Absolutions, dispensations, and the like were vnknowen, which they were wont to say in priuate discourse, when few were present, that ambition and auarice had made proper to the Court of *Rome*, vnder a fained colour to

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

mannage them better, and more to the publike seruice of God, and the Church, throughout all Christendome, then the Bishops could doe in their owne Cities, in regard of their imperfection and ignorance. But it was not so, because dissolution and ignorance did not enter into the Episcopall order, vntill they were compelled to goe as seruants to *Rome*. But if bad gouernement were then seene in the Bishops, which caused their authoritie to bee taken away, now it may bee seene to bee worst of all in the Court of *Rome*; so that by the same reason, that management ought to bee taken away which is not proper to it, but much abused by it.

Card. *Monte* doth cúningly diuert the decision of residence.

The decree, that residencie was required by the Law of God, was esteemed by these Prelats the best remedie for the disease past, and preseruatiue against hereafter. For if God hath commanded Bishops to reside perpetually with the flocke, it followeth necessarily that he hath also prescribed them the charge, and giuen them power to exercise it well. Therefore the Pope cannot call them, or busie them in ought else, nor dispence with them, nor restraine their authoritie, giuen them by God. Therefore they desired to proceede to the determination, saying, it was necessary to resolue the Article, because it was sufficiently discussed. The Cardinall of *Monte* hauing premeditated before, let them speake who were most earnest, that part of the heate might exhale; then he opposed himselfe dexterously, and said, it was necessary to doe it, because the world did expect it, but that they ought to doe it in a fit time; that the difficultie was handled with too much heat, and that in some it had stirred more passion then reason; so that it was necessary to let the feruor be cooled, and to interpose a little time, that, the contentions being forgotten, and charitie reuiued, place may bee giuen to the holy Ghost, without which the trueth cannot bee decided. That the Popes Holinesse, who hath vnderstood, to his griefe, the former contentions, desireth the same, that himselfe also may discusse the matter in *Rome*, and assist the Synod with his counsell. He concluded, with more resolute termes, then so modest a beginning ought to inferre; that no more speach should bee had of it before the Session, because the Popes will was resolutely so, but that they should attend to reforme the inconueniences which haue caused the abuse of not residing. This mixture of remonstrances and power made some of the Fathers, who afterwards did print treaties concerning this matter, say, and put in print, that the Legats did forbid to speake of this question; and others denied it, with an inuectiue against the first, saying, they derogated from the libertie of the Councell. In the end of the Congregation it was resolued to resume the things that remained to be discussed in the last Session, and to treate of remouing the impediments, which are the causes of not residing. Amongst which the most principall beeing pluralitie of Benefices, in regard it was impossible to reside in many places, it was resolued to treate of that.

But to auoid confusion, I will relate withall that which belongeth to the Sacraments, where the consideration, for the most part, was speculatiue and doctrinal, not to interrupt the order of the matter of Benefices; wherein some things hapned which did open a way to important and dangerous actions. Articles were framed by the deputies in matter of the Sacraments, and the maner

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

But to returne to the Councell, the day after the Session a generall Congregation was assembled, to deliberate of, and put in order the matter to be digested in the next Session, and, for matter of faith, it being already determined to follow the confession of *Ausburg*, the first point was of Ecclesiasticall ministery, which the Lutherans say is authority to preach the Gospell, and to administer the Sacraments; and some resting vpon the first part, did propose that the Ecclesiastical authoritie should be handled, declaring all those functions, spiritual and temporall, which God hath giuen them ouer the faithfull, and are denied by the Lutherans. And this did generally please the Prelates, because it was a matter of an easie vnderstanding, without any crabbednesse of the Schoole, and where themselues might haue a part. But it was not gratefull to the Diuines, because those things were not handled in the Schooles; so that they should haue nothing to dispute, and must referre themselues for the most part to the Canonists. They said that the Augustanes doe not handle all Ecclesiasticall authoritie, but that onely of preaching; whereof there was as much decreed in the last Session as was sufficient; but in the second part there was matter that did cohere with iustification, that is, the Sacraments, which are the meanes to be iustified, and said it was more fit to make these the subiect of the next Session. The Legats, and their dependants adhered hereunto, in shew for the same reasons, but indeede for another more potent, because, in the other consideration, they might haue handled the authoritie of Councels, and of the Pope, and proposed many hard matters, not fit to bee mooued.

The subiect of the next Session is the Sacraments. The Legates desire to preuent the handling of the authoritie of the Councell and Pope.

Hauing resolued to handle the matter of the Sacraments, it was considered that it was various and ample, not possible to bee comprehended in a Session, nor easie to bee determined into how many parts it ought to bee diuided. The Augustans made it short by taking away foure Sacraments, of which they ought to treate more exactly, to reestablish them: therefore that it was good to begin to discusse the Sacraments in general, & charge was giuen to put in order the Articles drawen out of the Lutheran doctrine, descending also to the sacramẽts in particular, of as many as seemed easie to discusse: and that the reformation might follow the definition of faith and doctrine, the abuses, occurring in the ministery of the Sacraments, should be put together, ordaining a Congregation of Prelates and Canonists to discourse of the remedies, and to frame the Decrees, with order, that if they both happned on the same day, *Santa Croce* should bee President of the Theologues, and *Monte* of the Canonists, and both together in the generall Congregation. But beside this, in regard of the promise to continue the matter of residencie, some of the most principall Articles thereof were to bee handled. In this it was not so easie to agree, because the Legates and their adherents had contrary ends to the other Bishops.

The Spanish Prelats hope to regaine Episcopall authoritie.

These began to hope, and to ayme, almost all, but especially the Spaniards, to regaine the Episcopal authoritie, which anciently euery one did exercise in his owne Dioceese, when the reseruations of Benefices, of Cases, or of Absolutions, dispensations, and the like were vnknowen, which they were wont to say in priuate discourse, when few were present, that ambition and auarice had made proper to the Court of *Rome*, vnder a fained colour to

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

mannage them better, and more to the publike ſeruice of God, and the Church, throughout all Chriſtendome, then the Biſhops could doe in their owne Cities, in regard of their imperfection and ignorance. But it was not ſo; becauſe diſſolution and ignorance did not enter into the Epiſcopall order, vn ill they were compelled to goe as ſeruants to *Rome*. But if bad gouernement were then ſeene in the Biſhops, which cauſed their authoritie to bee taken away, now it may bee ſeene to bee worſt of all in the Court of *Rome*; ſo that, by the ſame reaſon, that management ought to bee taken away which is not proper to it, but much abuſed by it.

Card. *Monte* doth cúningly diuert the deciſion of reſidence.

The decree, that reſidencie was required by the Law of God, was eſteemed by theſe Prelats the beſt remedie for the diſeaſe paſt, and preſeruatiue againſt hereafter. For if God hath commanded Biſhops to reſide perpetually with the flocke, it followeth neceſſarily that he hath alſo preſcribed them the charge, and giuen them power to exerciſe it well. Therefore the Pope cannot call them, or buſie them in ought elſe, nor diſpence with them, nor reſtraine their authoritie, giuen them by God. Therefore they deſired to proceede to the determination, ſaying, it was neceſſary to reſolue the Article, becauſe it was ſufficiently diſcuſſed. The Cardinall of *Monte* hauing premeditated before, let them ſpeake who were moſt earneſt, that part of the heate might exhale; then he oppoſed himſelfe dexterouſly, and ſaid, it was neceſſary to doe it, becauſe the world did expect it, but that they ought to doe it in a fit time; that the difficultie was handled with too much heat, and that in ſome it had ſtirred more paſſion then reaſon; ſo that it was neceſſary to let the feruor be cooled, and to interpoſe a little time, that, the contentions being forgotten, and charitie reuiued, place may bee giuen to the holy Ghoſt, without which the trueth cannot bee decided. That the Popes Holineſſe, who hath vnderſtood, to his griefe, the former contentions, deſireth the ſame, that himſelfe alſo may diſcuſſe the matter in *Rome*, and aſſiſt the Synod with his counſell. He concluded, with more reſolute termes, then ſo modeſt a beginning ought to inferre; that no more ſpeach ſhould bee had of it before the Seſsion, becauſe the Popes will was reſolutely ſo, but that they ſhould attend to reforme the inconueniences which haue cauſed the abuſe of not reſiding. This mixture of remonſtrances and power made ſome of the Fathers, who afterwards did print treaties concerning this matter, ſay, and put in print, that the Legats did forbid to ſpeake of this queſtion; and others denied it, with an inuectiue againſt the firſt, ſaying, they derogated from the libertie of the Councell. In the end of the Congregation it was reſolued to reſume the things that remained to be diſcuſſed in the laſt Seſsion, and to treate of remouing the impediments, which are the cauſes of not reſiding. Amongſt which the moſt principall beeing pluralitie of Benefices, in regard it was impoſsible to reſide in many places, it was reſolued to treate of that.

But to auoid confuſion, I will relate withall that which belongeth to the Sacraments, where the conſideration, for the moſt part, was ſpeculatiue and doctrinal, not to interrupt the order of the matter of Benefices; wherein ſome things hapned which did open a way to important and dangerous actions. Articles were framed by the deputies in matter of the Sacraments, and the maner

maner of ſpeaking of them was preſcribed to the Diuines, communicated to all in a ſheet of paper, with order that they ſhould ſay, whether they were all hereticall or erronious, and ought to be condemned by the Synode; and if any deſerued not that ſentence, they ſhould alleadge their reaſons and authority; and after ſhould declare what was the opinion of Councels, and of the holy Fathers, in all thoſe, and which of the Articles haue beene reprooued already, and which remaine to be condemned: and if in this matter any one ſhould finde out ſome other Article worthy of cenſure, he ſhould giue notice thereof, and auoyd impertinent queſtions in all, wherein one might diſpute on both ſides, without preiudice of faith, and all other ſuperfluity and tediouſneſſe of words. 1547 PAVL 3. CHARLES 5. HENRIS 8. FRANCIS 1.

Of the Sacraments in generall there were fourteene Articles. 1. That the Sacraments of the Church are not ſeuen but fewer, which may be called truely Sacraments. 2. That the Sacraments are not neceſſary, and that men may obtaine the grace of God without them, by faith onely. 3. No Sacrament is more worthy then another. 4. That the Sacraments of the new Law doe not giue grace vnto thoſe, who doe not reſiſt. 5. That the Sacraments haue neuer giuen grace or remiſſion of ſinnes, but onely the faith of the Sacrament. 6. That immediately after the ſinne of *Adam*, the Sacraments were inſtituted by God, by meanes whereof grace was giuen. 7. By the Sacraments, grace is giuen to him onely, who beleeueth that his ſinnes are remitted. 8. That grace is not giuen alwayes in the Sacraments, nor vnto all, in reſpect of the Sacrament it ſelfe, but onely when and where it pleaſeth God. 9. That in no Sacrament a *Caracter* is imprinted. 10. That a bad Miniſter doth not conferre the Sacrament. 11. That all Chriſtians of what ſex ſoeuer, haue equall power in the miniſtery of the Word of God and Sacraments. 12. That euery Paſtour hath power to make long, or ſhort, or change at his pleaſure, the formes of the Sacraments. 13. That the intention of the Miniſters is not neceſſary, and worketh nothing in the Sacraments. 14. That the Sacraments haue beene inſtituted only to cheriſh faith. Fourteene Articles of the Sacraments in generall.

Of Baptiſme there were ſeuenteene Articles. 1. That in the Romane Catholique Church, there is no true Baptiſme. 2. That Baptiſme is free, and not neceſſary to ſaluation. 3. That it is not true Baptiſme which is giuen by Heretiques. 4. That Baptiſme is repentance. 5. That Baptiſme is an externall ſigne, as the red marke in the Lambes, and hath no part in iuſtification. 6. That Baptiſme ought to be renued. 7. That true Baptiſme is faith, which beleeueth that ſinnes are remitted to the penitent. 8. That in Baptiſme ſinne is not rooted out, but onely not imputed. 9. That the Baptiſme of CHRIST and *Iohn*, haue the ſame vertue. 10. That the Baptiſme of CHRIST hath not made voyd that of *Iohn*, but hath added the promiſe vnto it. 11. That in Baptiſme the immerſion onely is neceſſary, and all other things, beeing free, may be omitted without ſinne. 12. That it is better to omit the baptiſme of children, then baptize them while they doe not beleeue. 13. That children ought not to bee rebaptized, becauſe they haue not proper faith. 14. That thoſe that are baptized in their childhood, comming to the age of diſcretion, ought to be rebaptized, becauſe they haue Seuenteene Articles of Baptiſme.

1547
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

not beleeued. 15. That thoſe that haue beene baptized in their infancie, when they come to age, ought to be interrogated, whether they will ratifie that Baptiſme, and, if they deny, ought to be left in liberty. 16. That ſins committed after Baptiſme are remitted, onely by the memory and faith that one hath beene baptized. 17. That the vow of Baptiſme hath no other condition but of faith, yea nullifieth all other conditions.

Foure Articles of Confirmation.

Of Confirmation there were foure Articles. 1. That Confirmation is not a Sacrament. 2. That it is inſtituted by the Fathers, and hath no promiſe of the grace of God. 3. That now it is an idle cermony, and formerly was a Cathechiſme, when children, comming to age, gaue an account of their faith, before the Church. 4. That the Miniſter of Confirmation is not the Biſhop only, but any Prieſt whatſoeuer.

All agree that there are ſeuen Sacraments, but not that there are no more.

In the Congregations, all the Diuines agreed, in affirming the number of ſeuen, and condemning the contrary opinion as hereticall, in regard of the generall conſent of the Schooles, beginning from the Maſter of the Sentences, (who ſpake definitiuely thereof) vntill this time. To this they ioyned the Decree of the Florentine Councel for the Armenians, which determineth that number, and, for greater confirmation, the vſe of the Romane Church was added; whence they concluded, that it ought to be held for an Apoſtolicall tradition, and article of Faith. But, for the ſecond part of the Article, all did not agree, ſome ſaying it was enough to follow the Florentine Councel, which paſſed no further. For to decide that the proper Sacraments are neither more nor fewer, doth preſuppoſe a deciſion of the true and proper eſſence, and a definition of the Sacrament; a thing difficult, in regard of the many definitions, brought not onely by the Schoole-men, but by the Fathers alſo, of which one will make that to be a Sacrament, which another doth not. That it is a queſtion alſo amongſt the Schoole-men, whether the Sacrament can be defined, whether it haue vnity, whether it bee reall, or intentionall: and that it is not reaſonable, in ſuch ambiguity, to tie concluſions with ſo ſtrong a bond. It was remembred, that Saint *Bernard*, and Saint *Cyprian*, accounted the waſhing of feete a Sacrament, and that Saint *Auſtine* made euery rite, by which God is honoured to bee a Sacrament: and elſe where vnderſtanding the word more ſtrictly then the propriety doth comport, maketh Sacraments onely thoſe, which are expreſſely mentioned in the New Teſtament; which are Baptiſme, and the Euchariſt onely, though he doubteth in one place, that there is another.

Reaſons to prooue the number of 7.

For the other part it was ſaid, that it was neceſſary to eſtabliſh for an Article, that the proper Sacraments, are neither more nor leſſe, to repreſſe the boldneſſe as well of the Lutheranes, who make them ſometimes two, ſometimes three, ſometimes foure, as alſo of thoſe who exceed ſeuen; and if ſometimes a greater number, and ſometimes a leſſe, be found in the Fathers, it was becauſe then, before the determination of the Church, it was lawfull to vſe the word in a more large, or more ſtrict ſignification. And here, to eſtabliſh the ſufficiency of this number of ſeuen, as the Schoole-men ſpeake, that is, that they are neither more nor leſſe, they were tedious in recounting the reaſons deduced from ſeuen naturall things, by which life is gained and preſerued; from the ſeuen vertues; from the ſeuen capitall vices; from the ſe-

uen

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

uen defects, which came from originall ſin; from the ſixe dayes of the creation of the world, and ſeuenth of reſt; from the ſeuen regions of *Egypt*; from the ſeuen Planets; from the famouſneſſe of the number of ſeuen, and other congruities, vſed by the principall Schoole-men, for proofe of the concluſion; and many reaſons why the conſecration of Churches, of the veſſels of Biſhops, Abbats, Abbeſſes, and Monkes, are not Sacraments, nor holy water, nor the waſhing of feet, as Saint *Bernard* ſaid, nor Martyrdome, nor the creation of Cardinals, nor Coronation of the Pope.

Some ſaide, that, to bridle the Heretiques, it was not ſufficient to condemne the Article, if euery one of the Sacraments were not particularly named, for feare ſome bad ſpirit might exclude ſome of the true, and ſubſtitute ſome falſe. Afterwards, another eſſentiall point, for the Article, was called to minde; that is, to determine the Inſtitutor of all the Sacraments, which is CHRIST; to condemne the hereſie of the Lutherans, who aſcribe to CHRIST, the ordination of Baptiſme, and the Euchariſt only. And that CHRIST ought to be held, by faith, for the Inſtitutor, Saint *Ambroſe*, Saint *Auſtine*, and aboue all, the Apoſtolicall Tradition was alleadged: from which no man diſſented. But ſome ſaid, they ought not to goe on ſo farre, and that it was enough, to keepe within the bounds of the Florentine Councel; and the rather, in regard that the Maſter of the Sentences held, that Extreame Vnction was inſtituted by Saint *Iames*, and Saint *Bonauenture*, with *Alexander*, that Confirmation beganne after the Apoſtles. And the ſame *Bonauenture*, with other Diuines, maketh the Apoſtles authors of the Sacrament of Penance. And many haue ſaid of Matrimony, that it was inſtituted by God in Paradiſe. And CHRIST himſelfe, when hee ſpake of it, in a place fit to name the authour, doth attribute the inſtitution thereof, not to himſelfe, but to the FATHER in the beginning. For theſe reſpects, they aduiſed not to adde that point, for feare of condemning the opinion of the Catholiques. The Dominicanes on the contrary, did affirme, with ſome bitterneſſe of words, that thoſe Doctors might be expounded and ſalued, with diuers diſtinctions, and that they would euer haue referred themſelues to the Church; but the Lutherane boldneſſe ought not to paſſe without condemnation, who haue brought in thoſe falſities, with contempt of the Church; and that was not to be tolerated in the raſh Lutheranes, which might bee indured in the holy Fathers.

The neceſſity of the Sacraments.

In the ſecond Article, of the neceſſity of the Sacraments, ſome would not haue the condemnation to be abſolute, but a diſtinction made, in regard it is certaine, that all are not abſolutely neceſſary. There was another opinion alſo to be condemned, which ſaid; That the Sacraments were not neceſſary in the Church, becauſe it is certaine, they are not neceſſary to euery one, yea that ſome are incompatible, as Order, and Matrimony. Yet the more common opinion was, that the Article ſhould bee condemned abſolutely, for two reaſons: one, becauſe the neceſſity of one is ſufficient to make the Article falſe, as it lieth; the other, becauſe they are all neceſſary in ſome ſort, ſome abſolutely, ſome by ſuppoſition, ſome by conueniency, and ſome for greater vtility. But many maruailed, that Articles of Faith ſhould bee eſtabliſhed, in ſuch multiplicity of equiuocation. For whoſe ſatisfaction, when

the

1547 Pavl 3. Charles 5. Henry 8. Francis 1.

the Canons were composed, there was added, condemning him that held the Sacraments not to be necessarie, but superfluous; inlarging by this last terme, the signification of the first.

Many were of opinion that the other part of the Article ought to bee omitted, because it was defined in the last Session, that faith onely was not sufficient: and *Marinarus* said, that the distinction of the Sacrament in vow, was vsed by the Schoolemen, but was vnknowen to antiquity, and full of difficulties. For in the *Actes of the Apostles*, when *Cornelius* the Centurion was instructed, the Angell said, his prayers were acceptable to God before hee knew the Sacrament of Baptisme, and other particulars of faith, and all his familie, hearing the Sermon of Saint *Peter*, receiued the holy Ghost, before they had beene instructed in the doctrine of the Sacraments: and after the holy Ghost receiued, they were instructed concerning Baptisme, by Saint *Peter*; so that hauing no knowledge of it, they could not receiue it in vow, and the Thiefe vpon the Crosse, then onely illuminated by the vertue of Christ, knew not the Sacraments, nor could make any vow of them. And many holy Martyrs, conuerted in the heate of persecution, by seeing the constancie of others, and presently taken and put to death, one cannot say, but by diuination, that they knew the Sacraments, and could make a vow. Therefore it was better to leaue that distinction to the Schooles, and not put it in the articles of faith. The common opinion was to the contrarie, saying, that although the words of the distinction were new and scholasticall, yet one must beleeue, that the thing signified was taught by Christ, and is an Apostolicall tradition: and for the examples of *Cornelius*, the Thiefe, and Martyrs, it is to bee vnderstood, that there are two sorts of vowes of the Sacrament; the one explicite, the other implicite; and, at the least, this second is necessarie: that is, that they had not the vow actually, but would haue had it, if they had been informed. These things the others granted to be true, but not obligatorie, as Articles of faith. The difficulties, in which they could not agree, were referred to the Synod, that is, to the generall Congregation.

Concerning the dignitie of the Sacraments.

As it hapned also in the third Article, which, though euery one thought to bee false, yet all did agree, that, in regard of the necessitie and vtilitie, Baptisme doth precede; in regard of the signification, Matrimony; in regard of the dignitie of the Minister, Confirmation; in regard of diuine worship, the Eucharist: but because one cannot say, without a distinction, which is more worthy, it is better to omit the Article, which cannot be vnderstood without subtiltie. Another opinion was, that all the respects of dignitie ought to bee expressed. And another, that the clause should bee added to the Article; that is, according to the diuers respects. This opinion was most followed, but did much displease those, who could not endure that the Synode should abase it selfe to these scholasticall fooleries, (for so they called them) and beleeue that Christ would haue these weake opinions brought into his faith.

The fourth Article is generally condemned.

All thought that the fourth Article ought to bee condemned; yea, that it was necessary to amplifie it, condemning the doctrine of *Zuinglius* in particular, who will haue the Sacraments to bee but signes, by which the faithfull

full are diſcerned from infidels; or Actes, and exerciſes of the profeſsion of Chriſtian faith, hauing no other relation to grace, but as ſignes that one hath receiued it. After they treated of condemning thoſe who denie that Sacraments doe conferre grace, to him that putteth not a barre, or doe not confeſſe, that grace is contained in the Sacraments, and conferred, not by vertue of faith, but *Ex opere operato*. But comming to expound how they are contained, and their cauſalitie, euery one did agree, that grace is gayned by all thoſe actions that excite deuotion, which proceedeth not from the force of the worke it ſelfe, but from the vertue of deuotion, which is in the worker; and theſe are ſaid in the Schooles, to cauſe grace, *Ex opere operantis*. There are other actions which cauſe grace, not by the deuotion of him that worketh, or of him that receiueth the worke, but by vertue of the worke it ſelfe. Such are the Chriſtian Sacraments, by which, grace is receiued, ſo that there be no barre of mortall ſinne, to exclude it, though there bee not any deuotion. So by the worke of Baptiſme, grace is giuen to the infant, whoſe minde is not mooued toward it, and to one borne a foole, becauſe there is no impediment of ſinne. The Sacrament of Chriſme doeth the like, and that of extreame vnction, though the ſicke man hath loſt his memorie. But hee that hath mortall ſinne, and doeth perſeuere actually, or habitually, cannot receiue grace, by reaſon of the contrarietie, not becauſe the Sacrament hath not vertue to produce it, *Ex opere operato*, but becauſe the receiuer is not capeable, being poſſeſſed with a contrarie qualitie.

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRAN. 1S 1.

Whether the Sacraméts do confer grace *Ex opere operato*.

Though they all agreed in this, yet they differed, becauſe the Dominicans did affirme, that howbeit grace is a ſpirituall qualitie, created immediately by GOD, yet it is an inſtrumentall and effectiue vertue in the Sacraments, which cauſeth a diſpoſition in the ſoule to receiue it. And therefore it is ſaid that they containe grace; not that it is in them, as in a veſſell, but as the effect in the cauſe, alleadging a ſubtill example, as the chezill is actiue, not onely in ſcabling the ſtone, but in giuing forme to the Statue. The Franciſcans ſaid that it could not bee conceiued, how God, being a ſpirituall cauſe, can vſe a corporall inſtrument, for a ſpirituall effect, as is grace: they did abſolutely deny all effectiue or diſpoſitiue vertue in the Sacraments; ſaying they haue no vertue, but by the promiſe of God, that ſo often as they ſhall be adminiſtred, he will giue his grace to them. Therefore it is ſaid they doe containe it, as in an effectuall ſigne, not by any vertue of their own, but by a Diuine promiſe, of infallible aſsiſtance to the miniſterie. Therefore it is a cauſe, for that the effect doeth follow, not by any vertue of its owne, but by the promiſe of God, to giue grace at that time; as the merite is cauſe of the reward, without any actiuitie. This they prooued, not onely by the authoritie of *Scotus*, and Saint *Bonauenture*, their Diuines, but by Saint *Bernard* alſo, who ſaith that grace is receiued by the Sacraments, as a Canon is inueſted by the booke, and a Biſhop by the ring. The reaſons were expounded on both ſides, with great prolixitie, and ſharpeneſſe. And they cenſured one another. The Dominicans ſaide, that the other opinion was neere to Lutheraniſme; and the others, that theirs, beeing impoſſible, gaue occaſion to the heretikes to calumniate the Church. Some good Prelates deſired (though

The *Franciſcans* and *Dominicans* cannot agree about the manner how the Sacraments doe containe grace.

without

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

without effect) to make peace, saying, that in regard they agreed in the conclusion, that the Sacraments conteine and are cause of grace, it did little import in what manner, and that it was better, not descending to particulars, to stand in the generall. But the Friars replied that they spake not of words, but of establishing, or annihilating the Sacraments. There would neuer haue been an end, if the Legate *Santa Croce* had not giuen order that they should passe to that which remained, and that afterwards they should returne to examine whether it were necessary to decide the point, or to leaue it.

The Legates vse meanes to represse the dangerous libertie of the Friars.

The Legates called vnto them the generals of the orders, and prayed them to cause the Friars to treate with modestie and charitie, without partialitie to their owne sect, shewing they were called to speake against heresies, and not to make new arise, by disputes. And they wrote thereof to *Rome*, shewing how dangerous the libertie was which the Friars did assume, and to what it might come. And they told the Pope that a moderation was necessary. For there being a fame spred of those dissensions, and censures which one partie pronounced against the other, it must needes raise scandal, and small reputation of the Councell.

It was thought fit to omit the fifth Article, as decided in the former Session. But Friar *Bartholmew Miranda* called to minde that *Luther*, by that paradox of his, that the Sacraments doe not conferre grace, but by exciting faith, drew also a conclusion, that those of the old, and of the Euangelicall law, are of equall vertue; which opinion was to bee condemned, as contrary to the doctrine of the Fathers, and the Church; all hauing said, that the olde Sacraments were onely signes of grace, but the new conteine it and cause it. No man did contradict the conclusion; but the Franciscans proposed: that it should not bee said of the old law, but of *Moses* Law, in regard that Circumcision it selfe did cause grace: but it was not a Mosaicall Sacrament; for CHRIST also said, it was not of *Moses*, but of the Fathers; and also because other sacrifices, before *Abraham*, did conferre, and cause grace. The Dominicans replied that Saint *Paul* sayd plainely, that *Abraham* had receiued the Circumcision onely for a signe; that hee being the first vnto whom it was giuen, it is as much as to say it was instituted onely for a signe. And the questions of the manner of conteining, and causing grace, returned into the field. Friar *Gregorie*, of *Padua*, said hereupon, that it was a cleere case in Logique, that things in the same kinde haue identie and difference amongst themselues. If the old Sacraments and ours had onely difference, they would not all bee Sacraments, but equiuocally; if onely identie, they would bee absolutely the same thing. Therefore they must beware to put difficultie in plaine matters for some diuersitie of wordes; and that Saint *Austine* had saide, that these and those, are diuers in the signe, but equall in the thing signified. And in another place, that they were diuers in the visible *species*, but the same in the intelligible signification; and that else where hee puts a difference, that those were *promissiue*, and these *demonstratiue*: which another doth expresse in another terme, that those were *prenunciatiue*, and these *contestatiue*. Whence it plainely appeareth, that they agree and differ in many things; which no sensible man can deny: and therefore it was wisdome, not to put that Article in the beginning, neither was it to

any

full are diſcerned from infidels; or Actes, and exerciſes of the profeſsion of Chriſtian faith, hauing no other relation to grace, but as ſignes that one hath receiued it. After they treated of condemning thoſe who denie that Sacraments doe conferre grace, to him that putteth not a barre, or doe not confeſſe, that grace is contained in the Sacraments, and conferred, not by vertue of faith, but *Ex opere operato*. But comming to expound how they are contained, and their cauſalitie, euery one did agree, that grace is gayned by all thoſe actions that excite deuotion, which proceedeth not from the force of the worke it ſelfe, but from the vertue of deuotion, which is in the worker; and theſe are ſaid in the Schooles, to cauſe grace, *Ex opere operantis*. There are other actions which cauſe grace, not by the deuotion of him that worketh, or of him that receiueth the worke, but by vertue of the worke it ſelfe. Such are the Chriſtian Sacraments, by which, grace is receiued, ſo that there be no barre of mortall ſinne, to exclude it, though there bee not any deuotion. So by the worke of Baptiſme, grace is giuen to the infant, whoſe minde is not mooued toward it, and to one borne a foole, becauſe there is no impediment of ſinne. The Sacrament of Chriſme doeth the like, and that of extreame vnction, though the ſicke man hath loſt his memorie. But hee that hath mortall ſinne, and doeth perſeuere actually, or habitually, cannot receiue grace, by reaſon of the contrarietie, not becauſe the Sacrament hath not vertue to produce it, *Ex opere operato*, but becauſe the receiuer is not capeable, being poſſeſſed with a contrarie qualitie.

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

Whether the Sacraméts do confer grace *Ex opere operato*.

Though they all agreed in this, yet they differed, becauſe the Dominicans did affirme, that howbeit grace is a ſpirituall qualitie, created immediately by GOD, yet it is an inſtrumentall and effectiue vertue in the Sacraments, which cauſeth a diſpoſition in the ſoule to receiue it. And therefore it is ſaid that they containe grace; not that it is in them, as in a veſſell, but as the effect in the cauſe, alleadging a ſubtill example, as the chezill is actiue, not onely in ſcabling the ſtone, but in giuing forme to the Statue. The Franciſcans ſaid that it could not bee conceiued, how God, being a ſpirituall cauſe, can vſe a corporall inſtrument, for a ſpirituall effect, as is grace: they did abſolutely deny all effectiue or diſpoſitiue vertue in the Sacraments; ſaying they haue no vertue, but by the promiſe of God, that ſo often as they ſhall be adminiſtred, he will giue his grace to them. Therefore it is ſaid they doe containe it, as in an effectuall ſigne, not by any vertue of their own, but by a Diuine promiſe, of infallible aſsiſtance to the miniſterie. Therefore it is a cauſe, for that the effect doeth follow, not by any vertue of its owne, but by the promiſe of God, to giue grace at that time; as the merite is cauſe of the reward, without any actiuitie. This they prooued, not onely by the authoritie of *Scotus*, and Saint *Bonauenture*, their Diuines, but by Saint *Bernard* alſo, who ſaith that grace is receiued by the Sacraments, as a Canon is inueſted by the booke, and a Biſhop by the ring. The reaſons were expounded on both ſides, with great prolixitie, and ſharpeneſſe. And they cenſured one another. The Dominicans ſaide, that the other opinion was neere to Lutheraniſme; and the others, that theirs, beeing impoſſible, gaue occaſion to the heretikes to calumniate the Church. Some good Prelates deſired (though

The *Franciſcans* and *Dominicans* cannot agree about the manner how the Sacraments doe containe grace.

without

1547 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

without effect) to make peace, saying, that in regard they agreed in the conclusion, that the Sacraments conteine and are cause of grace, it did little import in what manner, and that it was better, not descending to particulars, to stand in the generall. But the Friars replied that they spake not of words, but of establishing, or annihilating the Sacraments. There would neuer haue been an end, if the Legate *Santa Croce* had not giuen order that they should passe to that which remained, and thatafterwards they should returne to examine whether it were necessary to decide the point, or to leaue it.

The Legates vse meanes to represse the dangerous libertie of the Friars.

The Legates called vnto them the generals of the orders, and prayed them to cause the Friars to treate with modestie and charitie, without partialitie to their owne sect, shewing they were called to speake against heresies, and not to make new arise, by disputes. And they wrote thereof to *Rome*, shewing how dangerous the libertie was which the Friars did assume, and to what it might come. And they told the Pope that a moderation was necessary. For there being a fame spred of those dissensions, and censures which one partie pronounced against the other, it must needes raise scandal, and small reputation of the Councell.

It was thought fit to omit the fifth Article, as decided in the former Session. But Friar *Bartholmew Miranda* called to minde that *Luther*, by that paradox of his, that the Sacraments doe not conferre grace, but by exciting faith, drew also a conclusion, that those of the old, and of the Euangelicall law, are of equall vertue; which opinion was to bee condemned, as contrary to the doctrine of the Fathers, and the Church; all hauing said, that the olde Sacraments were onely signes of grace, but the new conteine it and cause it. No man did contradict the conclusion; but the Franciscans proposed: that it should not bee said of the old law, but of *Moses* Law, in regard that Circumcision it selfe did cause grace: but it was not a Mosaicall Sacrament; for CHRIST also said, it was not of *Moses*, but of the Fathers; and also because other sacrifices, before *Abraham*, did conferre, and cause grace. The Dominicans replied that Saint *Paul* sayd plainely, that *Abraham* had receiued the Circumcision onely for a signe; that hee being the first vnto whom it was giuen, it is as much as to say it was instituted onely for a signe. And the questions of the manner of conteining, and causing grace, returned into the field. Friar *Gregorie*, of *Padua*, said hereupon, that it was a cleere case in Logique, that things in the same kinde haue identie and difference amongst themselues. If the old Sacraments and ours had onely difference, they would not all bee Sacraments, but equiuocally; if onely identie, they would bee absolutely the same thing. Therefore they must beware to put difficultie in plaine matters for some diuersitie of wordes; and that Saint *Austine* had saide, that these and those, are diuers in the signe, but equall in the thing signified. And in another place, that they were diuers in the visible *species*, but the same in the intelligible signification; and that else where hee puts a difference, that those were *promissiue*, and these *demonstratiue*: which another doth expresse in another terme, that those were *prenunciatiue*, and these *contestatiue*. Whence it plainely appeareth, that they agree and differ in many things; which no sensible man can deny: and therefore it was wisdome, not to put that Article in the beginning, neither was it to

any

did little import to receiue the true Sacrament. Whereupon they say it is not necessarie, and thinke it not conuenient, that the malice of a wicked Minister, who hath no intention to conferre the true Sacrament, should bee able to hurt, because wee are to regard what the faithfull receiueth, and not what is giuen him. But amongst the Catholikes, who doe truely attribute to the Sacrament power to giue grace to him that doeth not resist it, seeing it happeneth very seldome, that grace is obtained by any other meanes, surely little children, and many who haue but small vnderstanding, are saued no other way. And ordinarie men haue so weake a disposition, that it would not suffice without the Sacrament. And those few, who, as *Phenixes*, haue a perfect disposition, yet doe receiue greater grace by the Sacrament. Therefore it much concerneth a Christian to bee assured, that hee receiueth that which is true and effectuall. If a Priest, hauing charge of foure or fiue thousand soules, were an infidell, but a formall hypocrite, and in absoluing the penitent, baptizing of children, and consecrating the Eucharist, had an intention not to doe what the Church doeth, it must bee said that the children are damned, the penitent not absolued, and that all remaine without the fruit of the Communion. Neither is it enough to say, that faith supplyeth, because it doth not helpe children at all, according to the Catholike doctrine, nor others, so much as the Sacrament: and to attribute so great vertue to faith, were to take all vertue from the Sacraments, and to fall into the Lutheran opinion.

1547
PAVL 3.
CHARLES 5.
HENRIE 8.
FRANCIS 1.

Hee considered how a tender Father would be afflicted when his sonne was about to die, if hee doubted of the intension of the baptizing Priest. So hee that feeleth himselfe of a weake disposition, and is to be baptized, what anxietie will hee haue, that perhaps the Priest is a counterfeit Christian, and mocketh him, not meaning to baptize him, but onely to wash him in iest. And the same may bee feared in confession, and receiuing the Eucharist. He added, if any said these cases were rare, would to God it were so, and that, in this corrupt age, wee had not cause to doubt they were many. But suppose they are very few, or but one onely. Let there bee a knaue Priest, who fayneth, and hath not, an intension to administer the true Baptisme to a childe; who after, being a man growne, is created Bishop of a great Citie, and liueth many yeeres in that charge, so that hee hath ordained a great part of the Priests; it must bee said, that hee, being not baptized, is not ordained, nor they ordained, who are promoted by him. So, in that great Citie, there will bee neither Eucharist, nor Confession, because they cannot bee without the Sacrament of order, nor order without a true Bishop, neither can he receiue order who is not baptized. Behold millions of nullities of Sacraments, by the malice of one Minister, in one Act onely. And hee that thinketh that God supplieth by his omnipotencie, and prouideth against these dayly occurrences by extraordinarie remedies, will sooner make one beleeue that God, by his prouidence, hath prouided that such accidents should not happen. Therefore the Bishop said to euery inconuenience, God hath made prouision heerein, by ordaining that to bee a Sacrament which is administred, according to the rite instituted by himselfe, though the Minister haue another inward intention. And hee added that this doeth not crosse the common

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

doctrine of the Diuines, or the determination of the Florentine Councell, which requireth intention, because the inward intention is not to bee vnderstood, but that which is manifested by the externall worke, though inwardly it bee contrarie. And so all inconueniences are remooued, which otherwise are innumerable. Hee brought many reasons for proofe, and at last the example written by *Sozomene*; That the children of *Alexandria*, being at play by the Sea side, did imitate, in iest, the actions vsed in the Church, and *Athanasius*, created Bishop of the play, did baptize other children not baptized before; whereof *Alexander*, of famous memorie, Bishop of *Alexandria*, being aduertized, he was troubled at it, and called the children, and asked what their Bishop had done, and said vnto them: and vnderstanding that all the Ecclesiasticall rite was obserued, by the Councel of other Priests, did approoue the baptisme; which could not bee maintained, if such an intention, as others spake of, were required, but might well bee in that manner that himselfe did expresse it.

Athanasius being a child did baptize other children.

The Diuines did not approoue this doctrine, yet were troubled, and knew not how to resolue the reason: But they still defended that the true intention of the Minister was necessarie, either actuall, or virtuall, and that without it the Sacrament was not of force, notwithstanding any externall demonstration. I must not refraine to shew also (though it bee an anticipation of the fit time) that howsoeuer the Synode did after determine absolutely that the intention of the Minister is necessarie, yet this Prelate remained firme, and, in a little Booke that hee wrote of this Subiect a yeere after, did say that the Synode of *Trent* was of his opinion, and that the determination ought to bee vnderstood in his sence. There was no difficultie in condemning the last Article, by reason of that which hath beene said by others.

The opinion of the Bishop of *Minori* was not receiued. But a yeere after he published a little Booke to shew that the Synod was of his minde.

The matter of Baptisme, in the third Article, gaue them greater trouble, what that Baptisme is, which is giuen by the heretikes. All grounded themselues vpon the Schoole doctrine, receiued by the Florentine Councel, that a Sacrament requireth matter, forme, and intention, and that water is the matter, the expression of the Act in the name of the Father, the Sonne, and the holy Ghost, the forme; and to doe what the Church doeth, the intention. Whereupon they established an vndoubted conclusion, that those heretikes haue true baptisme, and agree with vs in these three things; which they sayd was receiued by an Apostolicall tradition, established long before by Pope *Stephanus* the first, in the beginning of the third age, and approoued by all the Church following. But those that vnderstand antiquitie doe know, that this was not the opinion of *Stephanus*, in whose time, matter, forme, and intention were not heard of. For that Pope did thinke absolutely that those who were conuerted from any heresie whatsoeuer, ought not to bee rebaptized; though, in those times, the heretikes, except some few *Montanists*, were *Gnostiques*, who vsed extrauagant baptismes, by reason of the exorbitant opinions which they held, of the diuinitie, and person of CHRIST. And it is certaine that those Baptismes had not the forme which is vsed now, and yet the Church of *Rome* did then receiue to repentance, euery sort of heretikes indifferently, without rebaptizing them. The Bishops of *Africa* and *Capadocia*,

Capadocia were directly oppoſite, ſaying, that all heretikes were to be rebaptized. In the Councel of *Nice* a middle courſe was held, that is, that the *Cathari* ſhould not bee rebaptized, but the *Paulianiſts* and *Montaniſts* ſhould. The Councell of *Conſtantinople* did name many heretikes which were to bee rebaptized, and others to bee receiued to baptiſme with them, in whom it would bee hard to ſhew that the ſame forme was vſed. But (which is of more importance) Saint *Bernard* doth witneſſe, that the *Nouatians*, *Eucratiques*, *Saccofors* were not rebaptized in *Rome*, whom notwithſtanding hee did rebaptize; neither did that Saint thinke this diuerſitie to bee abſurd: onely hee ſaid, it would be good to aſſemble many Biſhops to reſolue vpon an vniforme proceeding, But giuing no more heede to theſe things then to fables, they held the current doctrine, that an heretike doth truely baptize, if hee vſeth the words, and hath the intention of the Church. 1547 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

The fourth Article; that Baptiſme was Repentance, in regard of the force of the ſpeach, was held by many not to bee falſe, alleadging the Euangeliſt, who ſaith, that *Iohn* preached *the Baptiſme of Repentance*, and that *Paul*, in the ſixt to the *Hebrewes*, calleth Baptiſme by the name of *Repentance*. And ſo many Fathers haue ſaid the ſame, that the Article could not bee condemned, except it did ſay, that Baptiſme was the Sacrament of Penance. But becauſe it ſeemed in this ſence to bee the ſame with the ſixteenth Article, many thought fit to leaue it.

The 9. and 10. belonging to the Baptiſme of *Iohn*, many were of opinion that they ought to bee omitted. For not ſpeaking of thoſe of the old lawe, it was leſſe fit to ſpeake of that which was in the middle, in regard their ſcope was to handle the Sacraments of the new law. But others ſaid, that the heretikes minde was, not to exalt the Baptiſme of *Iohn*, and to make it equall with that of CHRIST, but to abaſe that of CHRIST, and to make it equall with *Iohns* baptiſme; inferring, that, as this did not giue grace, but was a pure ſignification, ſo was ours alſo, which is a moſt formall hereſie. Whether the baptiſme of *Iohn* & Chriſt be equall.

In the eleuenth of the Rites, ſome would haue the ſubſtantials diſtinguiſhed from others, and ſaid, that thoſe onely cannot bee omitted without ſinne. Others would exclude the caſe of neceſſitie onely, and that otherwiſe it was not lawfull to omit any whatſoeuer; for in regard the Church, gouerned by the holy Ghoſt, hath ordained them, they are neceſſary by the precept, though not by the ſubſtance of the Sacrament. They alleadged many Chapters of the Popes, and Councels, all which would prooue vaine, if euery one might change as he liſteth. That part which ſpeaketh of immerſion, though it bee a more expreſſe figure of the death, buriall, and reſurrection of CHRIST, yet it was condemned by all, and many places of the Prophets were alleadged, where aſperſion, or effuſion of water is ſpoken of, all which, they ſaid, ought literally to bee vnderſtood of baptiſme.

All ſet themſelues againſt thoſe three which ſpeake of the baptiſme of children, alleadging the doctrine of the ancient Fathers and Schoolemen; and many inuectiues were made againſt *Eraſmus*, attributing vnto him the inuention of the fifteenth, ſaying, it was impious and pernicious, and would open a way to aboliſh all Chriſtian Religion: adding, that if the children of the vncircumciſed Iewes, comming to age, were bound to keepe all the law, *Eraſmus* is taxed.

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

and were punished for transgressing it, it was more iust to compell the sonnes of the faithfull to obserue the Christian law; that the vniuersitie of *Paris* had deseruedly condemned the Article, and so ought the Synod to doe.

They concluded, that the sixteenth was conteined in the former Articles, because it did take away penance, one of the seuen Sacraments. But all said, that the last was contrary to the proper ministery of baptisme, in the very beginning whereof the catechized is admonished, that, if he will haue eternall life, it is necessary to obserue all the commandements.

Of Confirmation, Chrisme and Vnction.

In the Articles about confirmation, there was no difference; and all, for their ground, did alleadge the Councell of *Florence*. And that which is said in the third Article, that yong men did formerly giue an account of their faith in the presence of the Church, was generally decided, that, not being vsed in these times, one ought to beleeue it was neuer vsed before; for the Church would neuer haue intermitted that ceremonie. Many places of Councels and ancient writers were alleadged, making mention of Chrisme, and Vnction, which cannot agree to instruction or examination. Therefore they concluded, that it was a most vaine ignorance, to change so principall a Sacrament, against the common meaning of all the Church, into a rite perhaps vsed in some particular place, but neuer vniuersally, as the Vnction of the Chrisme.

Whether onely the Bishop be minister of Confirmation.

Vpon the last aticle there was much difficultie, in regard Saint *Gregorie*, the Pope, did grant that ministery to simple Priests. The Franciscans, according to the doctrine of Saint *Bonaueuture*, followed by *Iohn Scotus*, and their order, which doth attribute the ministery to the Bishop onely, as Pope *Adrian* the sixt did also maintaine, answered, that it was a permission onely for that time, and against the Popes wil, to auoide the scandall of those people: or else that the Vnction, permitted by *Gregorie*, was not the Sacrament of confirmation. Which answere not pleasing Saint *Thomas*, because it did not wholly free the Pope from hauing erred, hee found a temper, and said, that though the Bishop bee the minister of Confirmation, yet, with the Popes permission, it may bee administred by the Priest. Others opposed, and said that the doctrine of the Romane Church was absolute, that the ministers of Sacraments are instituted by CHRIST, whom though the Pope can command to the exercise of the ministerie, yet hee cannot make the Sacrament to bee of force that is administred by others, nor nullifie that which is conferred by the minister, instituted by CHRIST, though against his commandement. And therefore if CHRIST hath instituted the Bishop for minister, the Pope cannot make that grant to the Priest; if CHRIST hath granted that the Priest may doe it, the Pope cannot hinder him. For it would seeme a strange thing, that in the other Sacraments, being all of greater necessitie, CHRIST should prescribe the minister, without leauing any libertie vnto men, and in this, which may at any time be deferred, vse a singularitie, whereof, for sixe hundred yeeres, vntill the time of *Gregorie*, no man had made any mention, building an Article of faith vpon foure words, spoken by occasion: and if the epistle had been lost, no man would euer haue inuented that distinction, vnusuall in such a matter, nor to bee applied to any thing but to this place of *Gregorie*.

Others, beeing not satisfied with the resolution of either party, did propose, that the words of the Florentine Councel should bee taken. Some thought fit, onely to condemne him that would say, that the Priest, and not the Bishop onely, is the ordinary Minister; giuing by the word (ordinary) power to inferre, therefore there is another extraordinary, or to say, that there can bee no other, becaus the Sacraments haue no Minister, but Ordinarie. 1547 PAVL 3. CHARLES 5. HENRIE 8. FRANCIS 1.

While the forenamed Articles, were discussed by the Diuines, in the Congregation of the Canonists, assembled to collect, and remedy the abuses, concerning the Sacraments in generall, and, in particular, of Baptisme, and Confirmation, a Decree was made conteyning sixe heads: which said thus in substance. That the Synode, desiring to remooue the abuses, brought in by men or time, and to teach the Ministers of Churches, and all the faithfull, how to gouerne themselues in obseruing, ministring, and receiuing the Sacraments, doth ordaine. 1. That the Ecclesiasticall Sacraments, shall bee freely conferred, without taking or demanding any thing for them, vnder any pretence whatsoeuer, and no chest, vessell, cloath, or any such thing shall bee shewed, by which a demand may bee intimated; nor the Sacrament shall be denied, or deferred, vpon pretence of any long and ancient custome, not to conferre them before some certaine stipend bee paid, or satisfaction of some debt, considering that neither custome, or length of time, doth diminish the sinne, but rather increaseth it: and the offenders shall be punished according to the lawes, made against symoniacall persons. 2. The Sacrament of Baptisme, shall not bee conferred in prophane places, but in Churches onely, except in case of necessity, and when the children of Kings, and Princes, are to be baptized, according to the constitution of *Clement* the fifth; which shall not take place in all that haue dominion, but onely in great Princes. Neither shall the Bishop giue the Chrisme, but in seemely ornaments, and in the Churches, sacred places, or Episcopall houses. 3. The Sacrament of Baptisme shall bee administred by able Priests, in the mother Churches onely, except, by reason of great difficulty to goe to them, the Bishop thinke fit to grant it to other Churches, or that it hath bene granted time out of minde: in which Churches, holy water, taken from the mother Church, shall bee kept in a cleane and decent vessell. 4. In Baptisme and Chrisme, there shall bee allowed but one god-father, who shall neither bee infamous, nor excommunicated, nor interdicted, nor vnder age, nor a Monke, nor any that cannot performe what he promiseth. And in Chrisme, hee shall not bee receiued for a god-father, who hath not receiued Chrisme himselfe. 5. To take away the abuse, practised in many places, to carry about the water of Baptisme, or christened children, with their forehead bound, to make many god-fathers, by washing of the hands, or loosing the forehead, the Priests, in regard no compaternity is contracted by these meanes, shall not permit the water of Baptisme to bee carried out of the Church, but shall cause it to bee cast into the Sacrary, and the Font to bee shut vp. And the Bishops, when they giue the Chrisme, shall make two clerkes stand at the Church doore, to vntie and wash the foreheads, of those that haue receiued the Chrisme, not suffering any that is tied to goe out of

A Decree of Reformation conteyning sixe heads.

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

the Church. 6. The Biſhops ſhall be diligently carefull, not to confirme any who is excommunicated, interdicted, or in mortall ſinne.

And though the Canoniſts did more eaſily agree in theſe Decrees, then the Theologues in their diſcuſſions, yet ſome differences were amongſt them; for reſolution whereof, becauſe after long diſputation, they could not agree, they put them in forme, and referred the deciſion to the generall Congregation. The firſt doubt was, whether vnto theſe words, that is, that nothing ſhall be required or demanded, it ſhould bee added, or receiued. The ſecond, whether they ſhould adde theſe words; vnder pretence of any cuſtome whatſoeuer. The third, whether they ſhould vſe ſome words, to ſignifie, that the Synode doth not prohibite voluntary oblations, or doth prohibite them onely, when they are giuen in regard of the Sacrament, and not for other reſpects of piety, or whether the Decree ſhould bee left in its vniuerſality.

Difficulties referred to the general Congregation.

But there was the ſame difficulty, in the generall Congregation, impoſſible to bee reconciled. Thoſe that required the additions, not to receiue, or pretend cuſtome, alleadged the Goſpel; *Freely you haue receiued, freely giue*; and many Conons, *anathematizing* him that giueth or receiueth a temporall thing, for a ſpirituall. That cuſtome, againſt the law of God and nature, is corruption, and cannot take place. That in the title of ſimonie, the cuſtome of giuing, or receiuing, for poſſeſſion of benefices, benedictions of marriages, for burials, benediction of the Chryſme, for oyle, or for the ground of the buriall, is reprehended and condemned. Which the rather ought to be applyed to the Sacraments, in regard, if that be not prohibited, nothing is done, becauſe the corruption is vſed in all places, and euery one will excuſe himſelfe with it. That as the cuſtome of receiuing any thing before, is condemned in the Decree, ſo the cuſtome to receiue after, ought to bee condemned, by the ſame reaſon; or elſe, by condemning that, this is approoued. And for voluntary oblations, they would haue it generally forbid, to giue or receiue any thing a little before, or a little after, for any reſpect whatſoeuer; becauſe, in reſpect of the time, one may preſume that it is giuen for the Sacrament. And here the gloſſe was alleadged, which ſaith, that howſoeuer it is a worke of piety, to put money into the boxe, yet to doe it in time of receiuing the Sacrament, breedeth ſuſpition of ſimonie: and therefore that the time is to bee reſpected, which may make a thing ſeeme euill, which otherwiſe may be accounted good. That God doth command, *to take away all occaſion of ſcandall*, and *to abſteine from all appearance of euill*. And therefore that the Sacraments may bee purely adminiſtred, they would haue voluntary oblations abſolutely forbid, in time of adminiſtring the Sacraments, exhorting the faithfull, to vſe them, in other times and occaſions.

In which they could not bee decided.

On the other ſide was alleadged, that the fourth Councell of *Carthage* granteth the receiuing of what is offered for baptizing of Children; and that the Diuines, hauing determined that no temporall thing ſhall be receiued for the Sacrament, do conſent withall, that one may receiue for the paines in adminiſtring them, and much rather when it is giuen or receiued, not in reſpect of the Sacrament, but by way of almes, or elſe the Laity would haue no occaſions to exerciſe workes of charity, and the poore Curats would not

be

be able to liue. They alleadged the authority of Saint *Paul*, That it is not lawfull to muzzell the Oxe that treadeth the corne, and that he that serueth at the alter should liue by it. That it should neuer be confessed that any custome is introduced to giue or receiue any thing, for the ministring of the Sacraments; because, it being generally vsed, it would be as much as to say, that a pernicious abuse hath beene tolerated, yea approued in the Church vniuersall. Therefore that they ought not to speake of breaking a custome that was neuer in vse; least thinking to remedy that which is not euill, but so esteemed by the tendernesse of some mens consciences, the Church should receiue a mortall wound. Their principall reason was, that *Innocentius* the third, in the generall Councell, in the Chapter, *Ad Apostolicam*, doth not onely declare the custome of making oblations, in the administration of Sacraments, to be lawfull, and ordaine it should bee obserued, but that the Bishop should be punished, in case he should goe about to change it. Therefore to determine the contrary now, would be to condemne, very scandalously, a Pope & a general Councel, as approuers and defenders of a pernicious error. 1547 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

It was replied by the other side, that the Statute of the Councell of *Carthage* doth condemne, seuerely, the exaction, and doth tolerate the voluntary oblation: but that it was amended by the Councell of *Heliberum*, which forbiddeth the vse, obserued in those times, that the baptized should put some money into the font. That the inuentiō of the Diuines, distinguishing the ministery of the Sacrament from the paines in administring it, and the distinction to receiue in respect of the Sacrament, or of some thing else, and that of the first and second intention, are metaphysicall, and chimericall, considering the words of the Gospell are deliuered in absolute termes, not subiect to cauill, or glosses, which doe marre the Text. That God by *Moyses* and Saint *Paul*, prohibiting the muzzell, doth meane that food should not be denyed to the hungry beast, yet that he should not be filled with superfluity. That the pouerty of the Cleargy could not be pretended, hauing not onely competent, but abundant reuenewes. That the abuse is that the gouernors of Churches reside not in their benefices, and yet will receiue all the fruites, hiring the incertainties to poore seely Priests, who are forced to sell all to keepe themselues aliue. That they should rather make prouision that all should reside; by which meanes they would haue more then enough for their maintenance, and should not need to sell the Sacraments. And by this occasion they began againe to dilate of residency, and of the good that would follow, declaring it to bee, *De iure diuino*. That if any benefice with cure of soules be small, prouision should be made, by vniting other simple benefices, and, in case there were no other way, by causing the people to contribute for their maintenance. That it is better, and pleaseth God more to confesse the error past, and to redresse it, then to defend it and perseuere. And the Cardinall of *Monte*, who otherwise did not seeme inclined to reformation, was peremptory in this, answering those that alleadged the authority of *Innocentius* the third, and the generall Councel, that they did great wrong to that Pope and those Fathers, to say they defended so great an abuse, and that they shewed their ignorance. For if they reade the 3. chapter of the same Councell, which is the third before that which they haue alledged,

they

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

they might haue ſeene the meaning very plainely, and how thoſe Fathers did forbid all exactions, condemning alſo the cuſtome to the contrary. And, in that Chapter, the cuſtomes to giue any thing for adminiſtring the Sacraments are not allowed, but others, being lawfull, honeſt, and in fauour of the Church, are permitted, as tenthes, firſt fruites, oblations vſually made to the altars, canonicall portions, and ſuch other laudable vſances; alledging that the Chapter was ſo vnderſtood by *Bartolus* and *Romanus*.

Anathematiſmes framed.

The Fathers deputed to make the decrees in matter of faith, conſidering the opinions of the Diuines, and the concluſions in which they agreed, leauing and diſtinguiſhing the Articles according to their direction, and ranging them in a better order, framed 24. *Anathematiſmes*, concerning the Sacraments in generall, ten of Baptiſme, and three of *Chriſme*: which were expreſſed in ſuch a forme, as that no Catholique opinion was condemned, and all parties ſatisfied. But in compoſing the *Heads* to expreſſe the doctrine, as was done in iuſtification, it was not poſſible to vſe the termes of one opinion, but that another ſeemed to be diſallowed; which neither pleaſed the Doctors for the affection they bare to their owne ſect, nor the Legates and Neutrals, for feare of ſowing new diuiſions: But not being able to expreſſe the doctrine ſo nicely, but that more then one of the parties would beeloſt, they referred it to the generall congregation, to define how the Sacraments do containe and cauſe grace.

It was hard to expreſſe the doctrine, and to diſpleaſe no perſons.

The Congregation was no leſſe perplexed then the Deputies. One part inclined to omit wholy the matter of doctrine, and to paſſe with the anathematiſmes onely, as they did in originall ſinne. Another part would haue the doctrine by all meanes, alleadging the reaſons vſed, when they treated of iuſtification; that it was neceſſary to follow the example then begun: and that all diligence ſhould be vſed to ſatisfie all parties. But at the laſt they ſaid it muſt be done, and that there was no danger of diuiſion. For the Diuines, preſent in Councel, though they ſharply defend their owne opinions, yet they doe referre themſelues to the Synode, which the abſent will aſſuredly doe alſo. Therefore they ſhould not refraine to doe the buſineſſe exactly, that the heretiques may be conuinced. This opinion had preuailed, but that *Iohn Baptiſta Cigala*, Biſhop of *Albenga*, and *Auditor* of the *Chamber*, did ſtrongly oppoſe: who ſaid, it was neuer found in any Story, that euer any man was willing to haue his opinion condemned; and though all the Catholiques referre themſelues to the iudgement of the Church of *Rome*, yet, if their opinion were reiected, they would not referre it, but defend it more obſtinately, fortifying themſelues the more by reaſon of oppoſition; by which meanes, of ſectes, hereſies doe ſpring. Therefore that the beſt way was to tolerate all the opinions, and to take care that none condemne another, but that all may liue in peace. Neither is there ſuch contrariety betweene them, that, vſing this moderation, any inconuenience can ariſe; whereas, without it, euery verball difference or little trifle is able to diuide the whole world. That many opinions of the moderne innouators might haue been tollerated, if they had beene modeſtly maintained, without condemning the Church of *Rome*, and the doctrine of the Schooles. This conſtrained *Leo* to retort againſt *Luther* thoſe arrowes, which he had firſt ſhot againſt the Apoſtolike

Sea.

Sea. In ſum, the wiſe Prelate ſaid, that the vſuall proteſtations of the Doctors to referre themſelues to the Church, were termes of good manners and reuerence, which ſhould be anſwered with as much reſpect, by keeping themſelues neutrall betweene the contrarieties. That it is fit, that he that would bee reſpected ſhould giue reſpect againe: and one ought neuer to beleeue that hee that ſaith hee doeth referre himſelfe and ſubmit, hath a purpoſe to doe it, if occaſion were offered. Of this *Luther* is a manifeſt example; who, while he had to doe onely with the Friars, who were Pardon-mongers in *Germanie*, in matter of Indulgences, as alſo with the Doctors of *Rome*, did alwayes ſay he referred himſelfe to the Pope. And when *Leo* tooke the promiſe for reall, which was made only in ſhew, *Martin* did not only not keep it, but inueighed more againſt his Holineſſe, then hee had done againſt the Pardoners in *Germanie*.

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The proteſtations of Doctors, that they referre themſelues to the Church are buttermes of good manert.

The Legates ſent a copie to *Rome* of all things that were deliberated, and of the difficulties remayning, as well in matter of faith, as in reformation of the abuſes, deſiring to haue order what they ſhould reſolue, reexamining in the meane ſpace the ſame matters; but moſt ſeriouſly the matter of the pluralitie of Benefices, propoſed long before, as hath beene ſaide, and handled in part at the ſame time, all the ſubſtance whereof I will continuately relate in this place.

The Legates ſend to *Rome*.

In the Congregation of the fifteenth of Ianuarie, when the Articles of the Sacraments were giuen out, the matter, begunne the day before, continuing ſtill, in regard many doe not reſide becauſe they are not fit to exerciſe the charge, with the pluralitie of Benefices they handled the qualities and conditions required in Biſhops. They began with that which Saint *Paul* requireth in Biſhops and Deacons, inſiſting much vpon the wordes, *irreprehenſible*, giuen to hoſpitalitie, not couetous, not new in Religion, and eſteemed by ſtrangers. Afterwards other conditions, required by many Canons, were alleadged, wherin there was no difficultie, all vniformely declaiming againſt the vices and defects of the Prelates and Clergie. This diſpleaſed not the Legates, being content to ſee the Prelates intertaine themſelues with this ſhadow of libertie. But in the heate of ſpeaking, *Iohn Salazar*, Biſhop of *Lanciano*, attributed the beginning of all to the Court of *Rome*, which, in diſtributing Biſhoprikes, regarded not the ſufficiencie of the perſons, but ſeruices performed. Whereunto the Biſhop of *Bitonto*, who ſpake a little after, replyed with much feeling, and ſaid, that the fault of others was vniuſtly attributed to the Court. For in *Germanie* Biſhoprikes are giuen by election, in *France*, *Spaine*, and *Hungarie*, by the Kings nomination; and in *Italie* many doe belong to particular Patrons; and to thoſe that are free, the Princes doe recommend, and will not bee denyed, taking all libertie from the Pope. But hee that will not bee tranſported by opinion, but iudge ſincerely, will ſee that thoſe who are made freely at *Rome* are the beſt of all *Europe*. Pluralitie of Benefices, vnknowne to the firſt ages, hath not beene brought in by the Court of *Rome*, but by Biſhops and Princes, before the Popes tooke vpon them to regulate the matter of Benefices throughout all Chriſtendome: and, but for the prouiſions which are to bee found in the bodie of the Canon Law, the diſorder would haue beene alreadie mounted to the height.

The qualities & conditions required in Biſhops.

Some

1547
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

Some were pleaſed, and ſome diſpleaſed at this contention, according to their affections. But euery one diſcouered that the matter could not bee handled without danger, as the treaties of the next Congregations did ſhew.

A diſcourſe of the Author concerning Pluralitie of Benefices.

But becauſe this particular deſerueth to bee well vnderſtood, it will bee fit to ſhew how the abuſe began, & came to this growth. Yet I will not ſpeak of thoſe happie times when the name of the Church was common to all the congregation of the faithfull, vnto which did belong the vſe & propriety of the goods which are called Eccleſiaſtical, when the poore, and the miniſters had their foode and apparell from one common Maſſe, and thoſe were more principally prouided for then theſe. Neither will I mention the time when they did fall one degree, and of one Maſſe made 4. parts, putting that of the poore in the loweſt place, which, according to the former vſe, ought to bee in the firſt. But I will begin from the time when the name of the Church was appropriated to the Clergie onely, all other Chriſtians beeing excluded; when that was applied to few, which belonged to all, and to the rich, that which firſt ſerued for the poore. I ſay in the beginning of thoſe times, the Clergie hauing diuided amongſt themſelues all the reuenewes of the Church, the charges, which before were called miniſteries and offices of ſpirituall care, the temporalitie beeing now moſt eſteemed, were named benefices. And yet ſo long as the old Canons remained, that one man ſhould not bee ordained vnto two titles, none could haue more then one Benefice. But the reuenues being by warres or inundations diminiſhed, and become not ſufficient for their maintenance, one man might hold two; yet ſo as that hee ſhould attend them both. This was begun in fauour, not of the man beneficed, but of the Church, which, becauſe it could not haue a proper miniſter, might haue at the leaſt ſome other ſeruice. Vpon pretence of the inſufficiencie of the Benefices, and that none could be found to ſerue in them, they began to grant more of them vnto one, though no neceſſitie appeared, for the ſeruice of the Churches; and the maske being taken away by little and little, they were not aſhamed to doe it in fauour of the man beneficed. But the world beeing ſcandalized hereat, there was a moderation vſed; whereupon the diſtinction began of men tied to reſidencie, and not tied, and of benefices compatible and not compatible, calling thoſe of reſidencie incompatible one with another, and the other compatible with theſe, and with themſelues.

How the diſtinction of Benefices compatible & incompatiable began.

Yet the gloſſe of the Canoniſts alwayes declared (to make a ſhew of honeſtie) that many benefices ſhould not bee giuen to one, but when one is not ſufficient for maintenance. But they cut this ſufficiencie very large, proportioning it not to the perſon but to the quality, not eſteeming it ſufficient for an ordinary Prieſt, if it were not enough for himſelfe, the family of his parents, three ſeruants, and an horſe: and more, if hee were noble or learned. And it is ſtrange how much they allowed for a Biſhop, in regard of the *Decorum* hee is to keepe. For Cardinals, it is ſufficient to note the common ſaying of the Court, that they are equal vnto Kings; by which they conclude, that no reuenew is too much for them, except it be more then enough for a King. The cuſtome being begun, and neither the world nor equitie being able to reſiſt it, the Popes reſerued to themſelues

power

power to dispence with the incompatible, and to haue more then two of the others. But to finde a colourable way to put this in practise, they layd hold on *Commendaes*, a thing instituted at the first to good purpose, but after vsed to this end onely. For when, by reason of warres, pestilence, and other such causes, the election or prouision could not bee made so soone, the superiour did recommend the vacant Church, to some honest and worthy man, to gouerne it, besides the care of his owne, vntill a *Rector* were prouided; who then had nothing to doe with the reuenues, but to gouerne them, and consigne them to another. In progresse of time the *Commendataries*, by diuers pretences of honesty and necessity, made vse of the fruits, and, to enioy them the longer, sought meanes to hinder the prouision. For remedy whereof, order was taken, that the *Commenda* should not last longer then six moneths. But the Popes, by the plenitude of their power, did passe these limits, and commended for a longer time, and, at the last, for the life of the *Commendatarie*, giuing him power to vse the fruits, besides the necessary charges. This good inuention, so degenerated, was vsed, in the corrupted times, for a cloake of plurality: obseruing the words of the law, to giue but one benefice to one man, contrary to the sence; in regard that a *Commendatarie* for life, is the same in reality with the titular. Great exorbitances were committed, in the number of the benefices commended; so that, after the Lutherane stirs began, and all men demanded reformation, *Clement* the seuenth, in the yeere 1534. was not ashamed to commend vnto his nephew *Hippolitus, Cardinall de' Medicis*, all the benefices of the world, secular, and regular, dignities, and personages, simple, and with cure, beeing vacant, for sixe moneths, to beginne from the first day of his possession, with power to dispose of, and conuert to his vse all the fruits. This exorbitancie was the height of all, which in former times the Court durst not vse, though it gaue in *Commenda* a very great number vnto one.

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

How Commendam began.

A large Commenda giuen to Hippolitus, Cardinall de Medici by Clement the 7.

Therefore the *Vnion*, formerly vsed for a good end, was inuented to palliate *Plurality*. This was practized when a Church was destroyed, or the renenues vsurped, that little which remained together with the charge, beeing transferred to the next, and all made one benefice. The industry of the *Courtier* found out, that besides these respects, benefices might bee vnited, so that by collation thereof, *Plurality* was wholly couered, though in fauour of some Cardinall or great personage, thirty or forty in diuers places of Christendome were vnited. But an inconuenience did arise, because the number of benefices did decrease, and the fauour done to one, was done afterwards to many, without merit or demand, to the great dammage of the *Court* and *Chancery*. And this was remedied, with a subtile and witty inuention, to vnite as many benefices as pleased the Pope, onely during the life of him vpon whom they were conferred, by whose death the vnion was vnderstood to bee dissolued, *ipso facto*, and the benefices returned to their first state. So they shewed the world their excellent inuentions, conferring a benefice, which was but one in shew, but many in deed; as one confessed hee had stollen a bridle, concealing it was vpon an horse head, which hee stole with it.

Of Vnions of Benefices.

To remedy plurality, it was necessary to remoouc the abuse of these three pretences.

1547
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

pretences. This the wiſer ſort of Prelates vnderſtanding, agreed vniformely at the firſt propoſe, to inhibit all, of what condition ſoeuer, to haue more then three benefices. And ſome added, when two amount not to the valew of foure hundred ducats of gold: and that if one were worth ſo much, no man whatſoeuer ſhould haue any more, nor more then three, though they were not worth ſo much. Of this there was much diſputation; and much more when *Aluiſe Lipomano*, Biſhop of *Verona*, propoſed that this decree might touch them alſo, who were now poſſeſſors of more; who, without exception of any, ſhould bee conſtrained to renounce thoſe that were ſupernumerary, within ſixe monethes if they were in *Italy*, and within nine if in other places: which if they did not, they ſhould bee depriued, without any further declaration, notwithſtanding the benefices were *vnited*, or *commended*, or poſſeſſed by any other title. To this opinion the Biſhop of *Feltre* did adhere, but did moderate it, by diſtinguiſhing *Diſpenſations*, *Commendaes*, and *Vnions*: ſaying, that ſome were made for the good of the Churches, and ſome in fauour of the poſſeſſor: deſiring that the former ſhould remaine in force, and the other ſhould be regulated. The Biſhop of *Lanciano* did not admit this diſtinction: ſaying, that hee that would make a laſting law, muſt not put exceptions into the body of it, in regard the malice of man is apt to inuent them, and to free themſelues from the rule. The Biſhop of *Albenga* made a long oration, to ſhew, that good lawes doe regulate the future onely, and that hee, who, not conteining himſelfe within the bounds of reaſon, will amend that which is paſt, doth euer raiſe tumults, and in ſtead of reforming, make a greater deformation: that it were ſtrange to depriue men of their poſſeſſions, and perſwade them to be content. Hee added, that he foreſaw, that if ſuch a decree were made, either it would not be receiued, or, if it were, would cauſe colourable and ſimoniacall reſignations, and greater miſchiefes then plurality could. For hereafter, the prouiſion ſeemed vnto him ſuperfluous: for no man being to haue more benefices but by the Popes diſpenſation, it ſufficed that he was reſolued not to diſpence.

A diſpute about the remedy of Plurality.

Lawes ought to looke forward onely, and no backward.

In that Congregation, amongſt many tragicall exclamations, made by diuers men, *Bernardus Dias*, Biſhop of *Calahora*, ſaid, that the Church of *Vicenza* was ſo diſordered, as all men knew, that it required rather an Apoſtle then a Biſhop; taxing the Cardinall *Ridolfi*, who poſſeſſed that Biſhopricke, beſides many other benefices, not gouerning it, nor hauing the Epiſcopall order, neuer ſeeing it, nor knowing any thing but the rents. And euery one ſpake againſt the inconuenience, that famous Churches ſhould neuer ſee their Biſhops, becauſe they were imployed in other Biſhoprickes, or more beneficiall dignities. Some ſaid, that the Pope onely might prouide againſt this, and were of the opinion of *Albenga*, that he alone might make the reformation. This pleaſed the Legates, as well for the Popes dignity, as to free themſelues from taking paines in this matter, which, in regard of the varietie of opinions and intereſts, they thought would bee of an hard digeſtion: hoping that when they had gone ſo farre as to leaue this reformation to the Pope, they ſhould eaſily leaue alſo vnto him the point of reſidency, which was as hard to be concocted, for that it was popular, and drew with it the regaining

of

of the Episcopall authoritie and iurisdiction. Therefore the Legates, being in hope that it might be obtained, especially if it were proposed as a thing done, not to bee done, they presently sent the Pope word of it, who was glad of the newes because both the Court and himselfe were doubtful where the attempts and designes of the Prelates might end. And thinking fit to strike the yron while it was hote, hee made a greater stride then the Legats would haue had him, and dispatched a Bull, by which he recalled vnto himselfe the whole businesse of the *Reformation*. But in *Trent* whilst an answere was expected from *Rome*, they proceeded in the treatie begun, and made a draught of the Decree, that no man should haue more then one Bishoprike, and hee that had more should quit the rest; that hereafter whosoeuer shall obtaine many inferiour incompatible Benefices, shall bee depriued without further declaration; and hee that formerly hath possessed more then one, shall shew his dispensations to the Ordinarie, who shall proceede according to the *Decretall* of *Innocentius* 4. *Ordinarij*. In giuing their voyces vpon these points, many desired to haue dispensations forbid. The shewing of the dispensations, and the proceeding according to the Decree of *Innocentius*, pleased but few, because it was a kinde of approbation of them all, and an increasing of the mischiefe. For *Innocentius* saith, that if the dispensations be found good, they shall bee admitted, if there bee any doubt, recourse shall bee had to *Rome*; in which case no man doubted, but that any of them might bee doubted of, and receiue a declaration at *Rome*, conformeable to the grant. Many feared that when they were examined and approued, there remayning no doubt, the abuse would bee confirmed; and therefore would haue had them prohibited absolutely. Others sayde they haue alwayes beene in the Church, and were necessarie, and that all was in vsing them well.

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

Of dispensations for Pluralitie.

Marcus Vigerius, Bishop of *Sinigaglia*, was of an opinion, which, if it had beene receiued and beleeued, would easily haue reformed the whole Clergie. Hee saide the *Synode* might remooue all inconueniencies, by declaring, that a lawfull cause was necessarie for a dispensation, and that whosoeuer doeth otherwise grant it, doth sinne, and cannot bee absolued, but by reuoking it; and that hee who obtaineth it, is not secure in his conscience, notwithstanding the dispensation, and continueth in sinne vntill hee quitteth the Benefices so gotten. This opinion wanted not contradictors. For some stood vp and said, that hee who granteth licence of *Pluralitie*, without a lawfull cause, doth sinne, yet the dispensation is good, and the dispensed is secure in his conscience, though hee knew the vnlawfulnesse of the cause. And the difference continued many dayes; these saying, that it was to take all authoritie from the Pope, and those, that the Popes authoritie stretched not so farre, as to make that euill should not bee euill. From this they went to another doubt, whether *Pluralitie* was forbid by the Law of God, or of man. Those who maintained residencie to be by the Law of God, saide that *Pluralitie* was forbid by the same Law, and therefore that the Pope could not dispence: others said it was forbid by the *Canons* onely. The *Legates* did hardly appease the contradiction, and held it dangerous, as well for setting on foote the point of residencie, as because it touched the Popes au-

A doubt moued by what law *Pluralitie* is forbid.

1547
Pavl 3. Charles 5.
Henry 8. Francis 1.

thoritie, though hee was not named; and the reason, because that subtill discussion of the force of them did put them all in hazard. There being much confusion, *Diego di Alana*, Bishop of *Astorga*, said, that in regard they could not agree about *Dispensations*, they should prohibite *Commendaes*, and *Vnions*, which are pretences to palliate the abuse; and hee spake much against the one and the other. Hee saide that *Vnions* and *Commendaes* for terme of life were full of absurdities, because by them it was confessed, that regard was not had of the good of the Church, but of the person, that they were most scandalous to the world, inuented a little before, to satiate auarice and ambition, and that it was a great indignitie to maintaine an abuse so pernicious, and notorious. But the Italian Bishops, who were for the most part interested in one of these, did not willingly heare such absolute propositions, thinking fit some prouision should bee made against them, but not such as should take them quite away.

The Pope sendeth a Bull to the Legats which displeaseth them.

In the beginning of February, the *Popes* answere and *Bull* came from *Rome*, which the *Legates* thought was too ample. But yet to make vse of it, they proposed the matter againe, causing the same determination to bee repeated by their adherents, that, in regard of the difficulties and varietie of opinions, it were good to free themselues, and referre all to the Pope. The *Imperialists*, euen those who formerly seemed not auerse, did now strongly reply, and said it was not honourable for the Councell. To which opinion the maior part inclined, returning to that which was said before, and raysing a greater confusion: in so much that the Legates saw that they could not make vse of the Bull, and wrote backe, that they were out of hope to remit the whole reformation to his *Holinesse*, nor more then that which is proper vnto him, that is, the moderation of the *Dispensations* and *Priuiledges*, and *Reformation* of the *Cardinals*: which if hee were resolued to make, it were good to vse preuention, and to publish a Bull in *Rome*, vnder the name of the *Reformation* of the *Court*. For no man could say that the Pope was not to reforme his owne Court, and that which belongeth to himselfe. Neither was it necessarie to publish this Bull in the Councell, which, if it did handle all other matters, would bee fully satisfied. And they aduertized his Holinesse, that the Synode would neuer bee quiet, vntill prouision were made, not onely against the future, but also against the present grants which are scandalous.

The Spaniards doe desire that the maner of proceeding in Councell should bee changed.

When the *Congregation* was ended, the Spanish Prelates, with their followers, to the number of twenty, the Cardinall *Pacceco* beeing the chiefe, did vniformely conclude, that, as the Congregations were caried, no firme resolution could bee made. For all the good that was spoken, was either dissembled by him, who gouerned the actions, or obscured by contentions. Therefore that it was necessary to change the manner, and to giue their demands in writing, that so they may come to a conclusion. And they made a *Censure* vpon the points proposed, and put it in writing, presenting it to the Legates in the *Congregation* held the third of February.

The Spanish *Censure*.

The *Censure* conteined eleuen Articles. 1. That betweene the quality of Bishops and Parish-Priests, all those conditions should bee put, which are set downe in the last *Lateran* Councell, it seeming that too large a gate is opened

pened to *Dispensations*, which are necessarily to bee now quite remooued; by making a more strict *Reformation*, in regard of the heresies which they cause, and the scandals which they giue to the world. 2. That it bee plainely specified, that *Cardinals* are bound to reside in their Bishoprikes sixe moneths in the yeere at the least, as formerly hath been commanded to other Bishops. 3. That the residencie of *Prelates* bee first declared to bee *iure diuino*. 4. That the *Pluralitie of Cathedrall Churches* bee declared to bee a great abuse, and euery one admonished (specifying the Cardinals also) to bee content with one onely, and to quit the rest within some short time, and before the Councel ende. 5. That the *Pluralitie* of the lesser Churches bee taken away, prohibiting it not onely for the future, but for the time past also, reuoking all *Dispensations* granted, not excepting Cardinals or others, but for iust and reasonable causes to be produced and proued before the Ordinarie. 6. That *Vnions* for life, euen those that haue been made long since, bee all reuoked, because they induce *Pluralitie*. 7. That euery one who hath a Benefice with cure, or other Benefices which require *Residencie*, bee depriued if hee reside not, without any *Dispensation* to be granted, but in cases permitted by the Law. 8. That whosoeuer hath a *Benefice* with *Cure*, may bee examined by the Bishop, and being found to bee illiterate, vicious, or otherwise vnfit, may be depriued, and the Benefice giuen to one that is worthy, by a rigorous examination, not at the will of the Ordinaries. 9. That hereafter *Benefices* with *Cure* bee not giuen before examination and inquisition. 10. That none bee promoted to a Cathedrall Church without processe, to bee made *in Partibus*, at the least concerning his birth, life, and manners. 11. That no Bishop may ordaine in the *Dioceße* of another, without leaue of the *Ordinarie*, and, in that case, may ordaine persons of that *Dioceße* onely.

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

The Legates were troubled, not onely for that many Articles were set on foote, all ayming to restraine the authoritie of the Pope, and make that of the Bishops greater, but for the importance of the beginning, to giue their petitions in writing; and because many were ioyned in the same demand, not shewing what their meaning was, but onely alleaging the weight of the things proposed. They tooke time to thinke of it, saying, they would not bee idle in the meane while, but establish other points of *Reformation*. They gaue the Pope a strickt account of all things past, adding, that the Prelates did euery day take more libertie, not refraining to speake of the *Cardinals* without respect, and to say openly, that it was necessary to moderate them; and with small reuerence of his *Holinesse*, that hee gaue nothing but words, and vsed the Councell to keepe the world in hope, and not to make a true *Reformation*: that hereafter it would bee hard to keepe them in order, because they had many priuate assemblies amongst themselues. They proposed to his consideration, that it would be good to make some effectuall *Reformation* in *Rome*, and publish it before the *Session*. They sent also the *Censure* of the Spaniards, desiring him to consider the importance of their attempt, and whither it might arriue, in regard it was not likely they would bee so bold, without they were vpheld, and perhaps incited by some great Prince. And they desired to receiue commandement what they should doe,

The Legates are troubled with the matter of the *Censure*, and with the manner.

And giue the Pope a strict account of all

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

saying, their opinion was to perſiſt, and not to yeeld one iote, aſwell for the importance of the matter, as not to open this paſſage, that the Prelates may obtaine, by ſedition and force, that which is not willingly granted them. For that would bee to depend on their fauour, and incurre the danger of ſome ſiniſtrous accident. That, for matter of diſpenſation, they would not ſuffer themſelues to bee ouercome: but in the end, if the oppoſites will not yeelde, all muſt come to voices, which are not weighed, but numbred. Therefore, not to hazard themſelues, but to bee ſure to ouercome in the *Seſſion*, it would bee neceſſary to command ſtraightly, thoſe that are gone to *Venice*, vpon pretence to ſpend the beginning of Lent in their owne Churches, but with intention to come no more, that they ſuddenly returne, without replie. For the whole importance of the *Reformation* will conſiſt in the next *Seſſion*, and as the *Mutiners* ſhall then ſucceed, they will reſolue either to oppoſe in other occaſions, or to remaine quiet and obedient.

And deſire him to ſend vnto them more of his dependants, that they may ouercome by number.

This aduiſe beeing ſent to *Rome*, the Legates, in the next congregations, propoſed the *Reformation* of diuers abuſes. The firſt was of thoſe who take a Benefice and title without orders, or conſecration anſwerable to them. All deteſted the abuſe, and deſired a remedie. But the Cardinall *Pacceco* ſaid, that all remedie would bee in vaine, if *Commendaes* and *Vnions* were not remooued, it beeing manifeſt, that a Cathedrall Church might bee commended to a Deacon, and hee that would haue a Pariſh Church without orders, may cauſe it to bee vnited to a ſimple benefice, which requireth them not, and ſo wil hold the one in conſequence of the other, without being conſecrated. The other *Reformations* were concerning diuers *Exemptions* from the *Viſitations* of Biſhops, from their examinations, from the hearing of ciuill cauſes, and from the reuiſion of the gouernement of *Hoſpitals*. Herein the Legats thought to gaine the fauour of the Biſhops, by enlarging their authoritie. But hee that pretendeth right to all, is commonly offended by the reſtitution of halfe. So the Biſhops, (eſpecially the Spaniards) thought they were wronged, becauſe the *Reformation* was not compleate. Yet they ſpake more reſeruedly, in regard the number of the Italians, who adhered to the Legates, did increaſe, and becauſe they expected an anſwere concerning their propoſitions from *Rome*, hauing diſcouered that they were ſent thither.

The Pope hauing receiued the aduiſe, wrote moſt effectuall, but, withall, moſt louing letters to his *Nuncio* at *Venice*, to make the Prelates returne, who were almoſt all in that Citie. Who performed the buſineſſe in ſuch ſort, that all tooke the iourney for a fauour, in regard they were to doe his Holineſſe ſo great ſeruice. The Pope commanded the Deputies to conſult of the *Spaniſh Cenſure*; and the reſidue, which was of greater importance, together with other things, whereof hee was aduertized before, he reſerued to his owne determination.

The determination made in *Rome* concerning the Spaniſh cenſure.

The Deputies, weighing the buſineſſe, did conſider that the propoſition made by the Legates, was more honourable, and more profitable, if it did ſucceed, but if not, more pernicious: that it was not wiſedome to runne ſo great hazards, in matters of ſo great moment: and that to deny all, or to grant all, was equally dangerous. Their concluſion was, that if the Legates

gates were not more then certaine to ouercome, they might grant part of, or all the vnderwritten modifications, as occasion was offered in handling of the busineſſe: which were digeſted by way of anſwere to euery article of the *Spaniſh Cenſure*. To the firſt, to renue the *Laterane* Councel, in the two points, it ſeemeth that the Prelats may be ſatisfied, ſo that in the reſidue, the Canons that ſhall bee made be reaſonable. To the ſecond, to binde the Cardinals to reſidencie, for thoſe who remaine in *Rome*, and actually ſerue the vniuerſall Church, it is not conuenient, and for the others, his *Holineſſe* will make prouiſion, as is ſaid in the letters. To the third, to conſtitute that reſidencie is required by the word of God; firſt the Decree beeing applied to particular Churches, would perhaps not be true: then for the effect, it cannot chooſe but make greater confuſion, there beeing a contradiction, that the Decree ſhould be made, and the contrary permitted, at the leaſt tacitely, for halfe of the yeere. To the fourth, to declare the plurality of the Cathedrall Churches to bee an abuſe, the ſame anſwere may bee made as vnto the third, and for the Cardinals, his Holineſſe will prouide, as hath beene ſaide before. To the fifth, of the plurality of the leſſer Churches, the prouiſion propoſed by the Legates, ſeemeth to bee ſufficient, and yet, if for the time paſt it bee thought fit, to make it more ſeuere, his Holineſſe is contented: who doeth aduertize them, that too much ſeuerity in this part, may worke a contrary effect, by the reſiſtance which is like to bee made, by thoſe who are in poſſeſſion: and doth conſider withall, that ſimply to leaue the iudicature of the diſpenſations to the Ordinaries, may cauſe abuſe, and bring forth no other effect, then the increaſe of their authority. To the ſixth, to reuoke the *Vnions* for life, howſoeuer his Holineſſe thought to make a fit prouiſion therein, yet if it be deſired to take them all away, it may bee granted, ſo that a conuenient time bee giuen to the poſſeſſors, to diſpoſe of the *Benefices*. To the ſeuenth, that non-reſidencie in Benefices with *Cure*, ſhould preciſely carie with it *Deprivation*, without any *Diſpenſation* to bee granted, but in caſes permitted by the law, is too rigorous, and would be obſerued very hardly, in caſe it ſhould be determined. To the eight, that hee that hath a *Benefice* with *Cure*, if it bee found hee is vnlearned, or vicious, may bee depriued by the Ordinary, it being vnderſtood of ſuch inhability, as by the law doth deſerue it, it may bee granted; otherwiſe the demand is not honeſt, becauſe all would be left to the conſcience of the *Ordinaries*. To the ninth, that *Benefices* with *Cure*, be not giuen before diligent examination, in regard it is neceſſary, to leaue the maner and quality thereof, to the conſcience of him who is to conferre the Benefices, it ſeemeth that to make any other Decree herein, is ſuperfluous or vnprofitable. To the tenth, to make the Proceſſe in *partibus*, concerning thoſe who are promoted to Cathedrall Churches, there appeareth no fruit of this diligence, it beeing as eaſie to finde a falſe witneſſe in *partibus*, as at *Rome*: where, becauſe euery thing may be ſufficiently examined, it is ſuperfluous to ſeeke further. To the eleuenth, that none bee ordayned but by his owne Biſhop, it ſeemeth that the *Bul* may ſuffice, becauſe it doth prouide many wayes, againſt the inconueniences, pretended in this point.

1547
PAVL 3.
CHARLES 5.
HENRIE 8.
FRANCIS 1.

The *Pope*, did preſently diſpatch the anſwere to *Trent*, leauing it to the diſcretion of the Legates to reſolue, by the counſell of their friends, what they

Is diſpatched to *Trent*.

1547
PAVL. 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

thought fitte to grant according to occasions, either part, or all, so that they conteyned themselues, within the limits set downe by the Deputies in *Rome*: or to deny all, in case they found themselues able to do it. He aduised them of the request made to those in *Venice*, and that they should hold the Session in the due time, wholy omitting the doctrine of the Sacraments, and publishing the *Anathematismes* onely, in which they are all agreed, because the doctrine cannot be expounded without danger. That they should leaue wholy the Decree of the abuses of the Sacraments, of Baptisme and Confirmation, it beeing impossible to touch that string, without offending the whole order of poore Priests and Friars, and giuing the Heretikes too great a conquest, by confessing they had formerly approoued such notable absurdities. He concluded, that they should labour to make the *Session* as quiet as was possible, but yet with the honour of the *Apostolique Sea*.

The Pope is troubled with the aduises sent from the Councel, and from his *Nuncio* in *Germany*

Afterwards the Pope, considering with himselfe and with his inward friends, the aduises sent vnto him from *Trent*, and from his *Nuncio* in *Germanie*, was full of suspicion, that the Councel would produce some great monster, to the preiudice of himselfe, and the Papacie. Hee considered the factions amongst the Diuines, especially Dominicans and Franciscans, ancient enemies, and contrary in doctrine, and feared that, taking courage in the Councel, they would goe beyond the bounds of those contentions, which haue beene hardly composed by the wiser sort: whose differences beeing no lesse then those with the Lutherans, and themselues very bold in taxing one another, except paines were alwayes taken to make them agree, there would be danger of some great inconuenience. He was much troubled with the disputation of *Residencie*, whether it bee required *iure diuino*, and with the boldnesse of Friar *Bartholomew Carranza*, who, beeing encouraged by many, dared to call the contrary opinion, the doctrine of deuils. He saw how easily such another mischiefe as that of *Luther* might arise, and that, if an article of faith were made of residencie, the *Papacy* was reduced to nothing. Hee considered, that all the reformations aymed to restraine the Popes authority, and to enlarge the power of the Bishops, and how little himselfe was esteemed, in that, the Councel hauing giuen hope to refer the *Reformation* to him, whereof hee had framed a Bul, and recalled the whole matter to *Rome*, they had after treated thereof more sharpely, without any respect of his authority. Hee had great suspicion of the spirit and courage of the Spaniards, considering the qualities of that wise Nation, that it doth not worke by chance, that it maketh greater shew of reuerence then it beareth, that it standeth vnited in it selfe, & stepperh not one foot forward, without looking a great way before them. It seemed to him a great matter, that they met together, and had made a common censure, and thought it probable that this webbe was secretly spun by the Emperour, in regard his Ambassadour did daily treate with them. Hee suspected the Emperour also for his present prosperitie, which ordinarily doeth make men not able to set boundes to their designes. Hee considered his conniuencie at religion, and thought it was to gaine the Lutherans fauour. Hee remembred the complaints vsed not onely by the Emperour, but by his Ministers also, when the Italian Souldiers departed, that hee was abandoned in time of need, and

he knew that hee attributed the sedition of *Genua* to his sonne, the Duke of *Piacenza*. But hee weighed aboue all, his words vsed to the *Nuncio*, that hee had no greater enemie then the Pope. Hee feared that when hee had established an absolute authoritie in *Germanie*, hee would thinke to doe the like in *Italie*, making vse of the Councell to suppresse the Papacie. He saw that all was in his power, in regard of the incurable indisposition of the French King, and his approching death. Of the Dolphin, being young, and not experienced, hee knew not what to promise himselfe: and was assured that the Prelats, who did, vntill then, adhere to the Court of *Rome*, whensoeuer the Emperor should vnmaske himselfe, would professe to be on his side, either for feare of greater power, or for emulation at the Popes greatnesse: which they would discouer, when they should see a secure way laid open to moderate it. 1547 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

These respects made him resolue to secure himselfe in some sort of the Councell. To end it, did not seeme reasonable, in regard there did remaine so many things to be handled. The *Suspension* did require some great cause, and would be to little purpose, in regard hee should be presently desired to take it away. To translate it to a place where himselfe had absolute authority, seemed the best Councell. And seeing this was to be done, he would so do it, as that all danger should be preuented: which could not be, if the Councel were not celebrated within his owne territories. He did not thinke *Rome* was fit, because it would raise too much discourse in *Germanie*. *Bolonia* seemed the best place, because it was neere the Mountaines, fertile, and of great receipt. For the manner, hee resolued to conceale his owne person, and to cause it to be done by the Legates, by the authority giuen them in the Bull, dated the 22. of February, and sent vnto them in August 1545. For doing so, if the *Translation* were opposed, the Legats would be blamed, and himselfe, as not interessed, might the more easily vphold them: and if, by accident, he should change his opinion, he might doe it without dishonour. Being thus resolued, he sent a priuate Gentleman of the family of the Cardinall of *Monte* with letters of credit, to doe this ambassage to both the Legates: commaunding him not to arriue there before the *Session*, and then to giue them authority to translate the Councel to *Bolonia*, making some apparant cause to arise, or making vse of some cause already in being; putting it in execution so quickly, that, after the enterprise begun, they should conclude, before any impediment could be interposed. And after consultation resolueth to translate the Synode to *Bolonia*.

But in *Germanie*, a great part of the Cities about the *Rhine*, hauing made composition with the Emperour, and the Elector *Palatine* caused his ministers to desist, the Emperour, seeing himselfe now able to exclude the Archbishop of *Colen*, sent two Commissaries, to assemble all the orders of his State, and to cause them to abandon him, and to receiue for their Arch-bishop, Prince *Adolphus*, his coadiutor, yeelding obedience, and swearing fidelity vnto him. The Clergy was ready to doe it, for the causes before recited: but the Nobility and Ambassadours of the Cities refused, saying they could not abandon a Prince vnto whom they had sworne. The Duke of *Cleues*, bordering vpon him, sent to the Arch-bishop, and caused the chiefe of the Nobility to go thither also, to pray him to find a meanes that the whole The Emperor doth leaue to temporize with the Archbishop of Colen.

State

1547
Pavl 3.
Charles 5.
Edvvard 6.
Francis 2.

State might not bee dissolued, with the great dammage of the neighbour Countries. The Arch-bishop, mooued with compassion, to free the State from warre, and that the innocent people might not suffer, did generously renounce the State, and absolue his subiects from the oath; and so *Adolphus* was receiued for his successor, whom he had alwaies loued as his brother, and communicated to him whatsoeuer hee had done for reformation of the Church; who was now of another opinion, either because hee was truly changed, or for some other respect.

Who doth generously renounce his state.

Thanks giuen to God, and great ioy in *Trent*, for the death of the K. of England.

In February, newes came to *Trent* of the death of the King of England, which hapened the moneth before. The Fathers gaue thankes to God, and went almost all to the Bishop of *Worcester*, congratulating that himselfe and the kingdome were (as they said) deliuered from the tyranny of a cruell persecutor, saying it was a miracle that he had left a sonne of but nine yeares of age, that he might not be able to tread in his Fathers steps. And it is true that he did not tread in them all. For *Henry*, though he had wholy taken away the Popes authority, and punished his adherents capitally, yet he did euer constantly retaine all the residue of the doctrine of the Church of *Rome*. But *Edward* (for so his sonnes name was) gouerned by his Vnckle on the mothers side, the Duke of *Somerset*, who was inclined to the doctrine of the Protestants, changed religion, as shall be said in its place.

The Popes letters being come, the Cardinall *Santa Croce* was of opinion, that it was good to mollifie the Prelates combined, by granting some of the petitions, which were granted from *Rome*, thinking they would easily bee pacified with that determination. The Cardinall of *Monte* said, that to condescend to an inferiour (especially to a multitude) was to make them pretend a greater satisfaction; that first he would try his friends, & when he found he was fortified with the greater number, hee would not retire an inch; but if he found it otherwise, hee would vse art. After many discourses, as it happeneth betweene Colleagues, *Santa Croce* yeelded to *Monte*, who was more passionate. They receiued aduise, that the absent Prelates would be returned before the end of February, whose minds were founded, and many of them were found to adhere to the Pope. These being confirmed with hope, and others ensnared with the same baite, that the Pope would take notice of euery ones merit, they caused the decree to be made, with fifteene heads, and proposed it in Congregation.

A decree containing 15. heads, is proposed in Congregation.

By this, greater difficulties were raised. In the Proheme, by this exception; Saning alwaies the Apostolicall authoritie, in all things. Euery foole saw at what it aymed, and that it inferred a pertinacious obstinacy, in the abuses which they sought to remedy, by preseruing their causes. Yet none durst oppose, but the Bishop of *Badacoz*, who said, it had need of declaration, because the Councell ought not, nor could impeach the authority of any, much lesse of the Apostolike Sea, acknowledged for *Head* of all the Catholiques. But it seemed that the words there placed did signifie, that in *Rome* the proceeding should be in those things as before, and that the moderation should not haue power ouer dispensations, and other inuentions, by which the authority of the old Canons hath beene alwaies weakened. In defence of the exception it was said, that the Lawes of Councels are not as the Lawes naturall,

And is there opposed.

where

where equi ty and rigour are the ſame thing; that they are ſubiect to the common defect of all Lawes, which by reaſon of their vniuerſality, ought to bee moderated by equity in caſes not foreſeene, when it would be vniuſt to put them in execution. But becauſe there is not alwaies a Councell, to which recourſe may be had, nor it being poſſible to attend this, when there is one, the Popes authoritie is neceſſary. It was replied, that, though all Lawes haue the defect of vniuerſalitie, yet all were publiſhed without exceptions; that ſo they ſhould now doe, or otherwiſe it were as much as to ſay, that ordinarily, and not onely in rare caſes, and not foreſeene, the Pope might diſpence with the contrarie. 1547 PAVL 3. CHARLES 5. EDVVARD 6. FRANCIS 1.

This opinion was not openly approoued by all, who in their conſcience thought it true; whereupon the Legat *Monte* taking courage, ſaid it was a ſubtiltie, not to attribute as much to the Apoſtolike Sea, as they were bound; and ſo hee made them all ſilent. The Biſhop of *Badacoz* demaunded, that mention ſhould bee made in that Proheme, that the Article of reſidencie was not quite left off, but deferred onely. The Legates anſwered, that this was a diſtruſt of their promiſes, and a vaine Obligation to doe that which was alwayes in their power: Yet, to ſatisfie ſo great a deſire, hee ſayde it ſhould bee added in the Proheme, that all was decreed in proſecuting the point of reſidencie, which they had begun; whereby it would appeare, that it was not ended in the other Seſſion, and that part did remaine to be handled. But the oppoſers are ſilenced.

Concerning the *Heads* of the qualities of Biſhops and other Curates, the Arch-biſhop *Torre* ſaide, that they did not onely remedie the corruptions brought in, but did weaken the ancient remedies. For with ſuch generall termes of age, manners, knowledge, abilitie, and worth, euery one might bee canonized for an able man; and to alleadge the Decrees of *Alexander*, was to nullifie all other Canons, which preſcribe other conditions. For when one is alwayes named, and the others purpoſely concealed, it ſeemeth that there is ſome derogation to theſe; that it was neceſſary to ſay plainely what this grauitie of manners, and knowledge of letters is: which if it were done, euery Courtier would bee excluded for euer. That the manners requiſite are well repeated by Saint *Paul*, and yet not regarded. The learning and Doctorſhip, which *Paul* requireth, is the knowledge of Chriſtian Doctrine, and of the holy Writ: that *Honorius* the third, is not to be imitated, who depriued a Biſhop of the lower *Saxonie*, becauſe hee had not learned Grammar, nor euer read *Donatus*. For the Gloſſe ſaith, he could not teach the people Grammar; as if Sermons were to be made by Grammar rules, and not according to the Goſpel. The Biſhop of *Haeſca* added, that neither the reference to, nor the allegation of the Decretals or conſtitutions did pleaſe him. For it is done, either to giue greater authoritie to them, or to receiue it from them, or to make one aggregate, of theſe, and the Synode, of greater force; and that all theſe wayes it was vnfit, becauſe the authoritie of both would be diminiſhed. That then it was fit to doe it, when the conſtitution was too long to bee repeated: but when it did containe but the ſame thing, there was no cauſe for it, in regard it would cauſe vndeterminable contentions, by diſputing whether thoſe conſtitutions bee approoued as the letter doth Diſcourſes about the qualities of Biſhops and Curates.

1547
PAVL 3.
CHARLES 5.
EDWARD 6
FRANCIS 1.

doth ſimply ſound, or with the limitations and ampliations of the Doctors, & with the diuers interpretations; which is to confound the world. That they haue neede of Decrees which may cauſe peace, charitie, and a ſerious reformation in the Church, not which may giue occaſion of ſtrifes, and new inconueniencies. To what purpoſe were it now to inflict vpon the Ordinaries, the puniſhments of the Chapter; *Graue nimis*, the execution whereof is committed to the Prouinciall Councels, which are diſuſed, if order bee not taken to bring them in vſe againe? Then the Benefices conferred by the Ordinarie, by reaſon of diuers reſeruations, being fewer then a tenth part, why ſhould prouiſion bee made in this, and the abuſe ſuffered to runne in the nine tenths, which the Court doth conferre? Likewiſe in matter of *Pluralitie*, to approue the conſtitution, *De multa*, is to eſtabliſh it the more, becauſe diſpenſations are permitted in that.

A diſpute whether the Cardinals ought to be ſpecified in the reformation.

The Articles were much diſputed on. The Spaniards did require, that the Cardinals ſhould bee ſpecified; but anſwere was made, that it was not conuenient, in regard of the greatneſſe of the order, beeing the chiefeſt in the Church, and repleniſhed with men of ſingular merit, to ſhew ſo plainely that there were corruptions in it, worthy of amendment, and that they did not amend themſelues. But it was ſufficient to doe it in general termes, which ſhould include them alſo; as to command euery one, of what dignitie, degree, or preeminence ſoeuer. Others ſaid to the contrarie, that the Canoniſts haue declared, that the Cardinals are not conteined vnder any generall termes, if they bee not expreſſed by name, and therefore that there was no other way to prouide againſt the bad example which the world taketh, but to reforme them in particular. That there is ſmall need to reforme the inferiour Clergie, whoſe corruptions are but ſmall, and themſelues, as it were, compelled to imitate the greater Prelates. That in curing a ſicke bodie, one ought to begin with the greater diſeaſes, and the more principall parts, which being healed, the others will heale of themſelues, or will neede but light medicines. For the abuſe of perpetuall *Vnions*, they ſayd it was ſufficiently prouided, by referring to the Biſhops the examination of thoſe which are already made, and by preſuming them to bee ſurreptitious, which are not grounded vpon reaſonable cauſes. But all was ouerthrowen by the modification following, that is, if the Apoſtolique Sea ſhould not thinke otherwiſe: for this was to eſtabliſh them, and to put the Biſhop to trouble and charge. It was deſired againe, that *Vnions* for life ſhould be prohibited, and thoſe nullified which are already made.

But the maior part did approue the Decrees as they were propoſed, ſome for the good affection they bare to *Rome*, and ſome becauſe they had beene perſwaded, and ſome good men alſo, who were promiſed, that the Pope, by his Bull, would take away both theſe and many other diſorders: but that, for reputation of the holy Sea, hee ought to doe it himſelfe, and not ſeeme to be compelled to receiue lawes from the Synod, againſt his will. And theſe put together were three quarters of the whole number of the Synod. The time of the *Seſſion* approaching, and the *Anathematiſmes* beeing read ouer againe, ſome required that the doctrine ſhould be added, and ſome demanded why the Decree of the abuſes was not reſolued on. To theſe it was

ſayd,

sayd, that the matter was not well discussed, and that it was more fit to handle them after all the Sacraments, giuing remedie withall to the abuses occurring in the ministery of euery one, and to the generall abuses of them all. In giuing a reason why the doctrine was omitted, the most concluding argument was, that so it was done in the Session concerning originall sinne, and that a doctrinall declaration is necessary, when the *anathematismes* cannot bee vnderstood without it; therefore that it was necessary in the Decree of iustification, but in this of the Sacraments, the *anathematismes* be so plaine of themselues, that they may serue also for doctrine. The approaching of the time, and the consent of the maior part, made them resolue for this opinion, and compelled them to be silent who demanded the doctrine, and the reformation of the forenamed abuses. 1547 Payz 3. Charles 9. Edvvard 6. Francis 1.

The Decrees beeing made, though with these difficulties, and the third of March being come, and the Prelats, according to their vsuall order, assembled in the Church, to celebrate the *Session*, *Iames Cocus*, Archbishop of *Corfu*, said Masse, *Coriolanus Martinengus*, Bishop of Saint *Marke*, was to make the Sermon, who for the distasts receiued in the Congregation, thinking he could not well bee present, and not persist in the same opinion, in regard it was not secure to contradict in publike Session, he made choise to faine some indisposition, and so to bee absent: by which meanes there was no Sermon that morning: as if amongst sixty Bishops, thirty Friars, exercised in preaching, not one was able to speake foure words with premeditation of 4. houres. And it was noted in the Acts, that there was no Sermon, because the Bishop of Saint *Marke*, deputed to make it, was hoarse, and so it was Printed. Which as it ought to bee attributed onely to the pleasant vaine of the Secretary, who wrote it, so it is a sure argument, that they did not then thinke the time would come, when all the actions of that Assembly, should be esteemed equall to those of the Apostles, when they met together, expecting the comming of the holy Ghost. The Session, March the 3. A iesting act concerning the Bishop of S. *Marke*.

When the Masse, and other ceremonies were ended, the two Decrees were read.

The first, concerning faith, conteyned in substance. That for complement of the doctrine, defined in the former *Session*, it was meete to handle the Sacraments; and, the better to extirpate the heresies, the Synode did for the present, constitute the Canons following, meaning to adde others afterward, when time should serue. The Decrees are read.

The *Canons*, or the *Anathematismes* of the *Sacraments* in generall, were 13. The Canons of the Sacraments in generall.

1. Against him that saith, that the *Sacraments* of the new Law, haue not beene all instituted by CHRIST, or that they are more or lesse then seuen, or that any of them is not truely, and properly a Sacrament. 2. And that they differ not from those of the old Law, but in ceremonies and rites. 3. And that none of them is, in no respect, more worthy then another. 4. That they are not necessary to saluation, and that the grace of God, may bee gained by faith alone, without them, or without any purpose to receiue them. 5. That they are ordained onely to nourish faith. 6. That they doe not conteine in them the grace signified, or doe not giue it to him that doth not resist, but are externall signes of iustice, and *Caracters* of a Christian pro-

1547
Pavl 3.
Charles 5.
Edvvard 6.
Francis 1.

an profession, to discerne the faithfull from Infidels. 7. That grace is not alwayes giuen by the Sacraments, nor vnto all, for as much as belongeth to God, though they bee lawfully receiued. 8. That by Sacraments *Grace* is not giuen, in vertue of the administration of them; called, *Opus operatum*: but that it sufficeth onely to beleeue the promise. 9. That in *Baptisme*, *Confirmation*, and *Order*, no indeleble *Character* is imprinted in the soule, for which cause they can be receiued but once. 10. That all Christians haue power to administer the *VVord* and all the *Sacraments*. 11. That in ministring the Sacraments, the ministers intention, at the least to doe what the Church doth, is not necessary. 12. That the minister, who is in mortall sin, giueth not the true Sacrament, though he obserue all things necessary. 13. That the vsual rites, approued by the Church, may be despised, or omitted, or changed for others, by euery Pastour.

The Canons of Baptisme.

Of Baptisme there were foureteene *Anathematisмes*. 1. Against him that saith the baptisme of *Iohn* had the same vertue with that of Christ. 2. That true and naturall water is not necessary to baptisme. 3. That in the Church of *Rome*, which is the *Mother* and *Mistris* of all the Churches, there is not to be found the true doctrine of baptisme. 4. That *Baptisme*, giuen by heretiques, *in the name of the Father, Sonne, and holy Ghost*, with intention to doe what the Church doth, is not true *baptisme*. 5. That the *baptisme* is free, that is, not necessary to saluation. 6. That the baptized cannot loose Grace, though he sinne, so that he leaue not to beleeue. 7. That the baptized are bound onely to beleeue, & not to obserue the Law of Christ. 8. That they are not bound to obserue the Lawes of the Church. 9. That by the memory of *baptisme*, all vowes made afterwards are of no force, but derogate from faith, and baptisme all profession. 10. That sinnes committed after baptisme, by faith and memory thereof, are remitted, or made veniall. 11. That baptisme is to be renewed in him, who hath denied the faith. 12. That none should bee baptized but in the age of Christ, or at the time of death. 13. Against him who putteth not children baptized in the number of the faithfull, or saith they must be rebaptized at the yeeres of discretion, or that it is better to omit their baptisme vntill then. 14. That children baptized, when they come to age, ought to be required to ratifie the promise made in their name, and to be left to their will if they refuse, not compelling them to Christian life, but by denying them other Sacraments.

The Canons of Confirmation.

Of *Confirmation* there were three *Canons*. 1. Against him that saith it is an idle ceremony, not a Sacrament properly, or that it was formerly vsed, that children might giue a publike account of their faith. 2. That to giue vertue to the *Chrisme*, is to wrong the *holy Spirit*. 3. That euery simple Priest is the ordinary minister of *Confirmation*, and not the Bishop onely.

The decree of reformation.

After this, the decree of reformation was read, which, in the Actes bare this title. A Canon concerning residency. And it contained in substance; 1. That no Bishop be created but of lawfull matrimony, of ripe yeeres, learned, and of good behauiour. 2. That none may haue or keepe more Bishoprickes then one, in *Title*, *Comenda*, or any other way, and whosoeuer hath now more then one, shall choose one, and quit the rest within sixe moneths, if they be of the Popes free collation, or else within a yeere; otherwise

1547
PAVL 3.
CHARLES 5.
EDVVARD 6.
FRANCIS 1.

wise all shalbe accounted void but the last. 3. That other benefices, especially with cure, be giuen to worthy persons, able to take charge of soules: otherwise the ordinary patron is to be punished. 4. That hereafter whosoeuer shal receiue many incompatible benefices, by way of *Vnion* for life, perpetuall *Commenda*, or otherwise; or shall keepe those that he hath receiued against the *Canons*, shall bee depriued of all. 5. That the dispensations of those who haue many benefices with cure, or incompatible, shall be shewed to the *Ordinaries*, making prouision afterwards for the cure of soules, and other obligations. 6. That perpetuall *Vnions*, made within forty yeeres, shall be reviewed by the *Ordinaries*, as delegates, and those that are vniust shall be nullified, and those that haue not beene in possession, or shall be made hereafter, shall be presumed to be surreptitious, if they be not made for reasonable causes, and with citation of all that be interested; and nothing, to the contrary of this, shall bee declared by the Apostolike Sea. 7. That Benefices with cure, vnited, shall bee visited by the Ordinaries euery yeere, and shall haue Vicars asigned, perpetuall or temporall, with such a portion of the fruites as to them shall seeme meete, without respect of Appeales or Exemptions. 8. That the Ordinaries shall euery yeere, by the Apostolike authoritie, visit the Churches exempted, prouiding for the care of soules, and other duties, without respect of Appeale, Priuiledges, or Customes prescribed. 9. That Bishops shall bee consecrated within the time set downe by the Law, and all prolongations for more then sixe moneths shall bee voide. 10. That the *Chapters* of Churches, in vacancie of the Bishoprike, shall not grant Dimisories for Orders, but to him that is obliged to take them, because of a Benefice. 11. That licences to bee promoted by any Bishop shall bee void, if a lawfull cause bee not expressed, for which they may not bee promoted by their owne Bishop, and, in that case, they shall bee promoted by a Bishop that resideth in his Dioceese. 12. That Faculties not to receiue due Orders shall not serue for longer time then a yeere, but in cases expressed in the law. 13. That men presented to Benefices, by any Ecclesiasticall person whatsoeuer, shall not be instituted before examination, made by the Ordinaries, except those who are presented by Vniuersities, Colledges, and generall Studies. 14. That in the causes of the Exempted a certaine forme shall be obserued, and where the question is of reward, or concerning those who sue *in forma pauperis*, the Exempted also, who haue a Iudge deputed, shall be conuented before the Ordinarie; but those who haue no Iudge deputed, shal be conuented in all causes. 15. That the Bishops shal take care of the Hospitals, that they be well gouerned by the administrators, though Exempted, obseruing a certaine forme.

The Prelates who oppõsed in the Congregations, did the same in the Session, but with greater modestie: desiring that the degrees of the persons comprehended might be expressed, and that besides the prouisions against future euils, remedies might be added for the present, which are more hurtfull, and dangerous. But the Legats, hearkening vnto these wordes as vnto idle talke, concluded the Session, and appointed the next for the 21. of Aprill.

A modest opposition is made, but not regarded by the Legats.

The same day the Popes messenger, concealed vntill then, euen from the Legats, did appeare, and declared to them his credence; and immediatly went

The Credence concerning the Translatiõ is deliuered.

1547
PAVL 3.
CHARLES 5.
EDWARD 6.
FRANCIS 1.

from *Trent* to *Ispruc*. The Card. *Santa Croce* was confounded, but *Monte*, being without feare, said, that he euer knew the Pope to be a wise Prince, and that he then saw in him the height of iudgement, that it was necessary to do so, if they would preserue the authoritie of the Sea Apostolike: and therfore that it was fit to serue his Holinesse with fidelity, secrecy, and diligence. And it hapned fitly that many in the families of the Prelats were sicke, either by the disorders of the *Carnoual*, or because the ayre had been moist many dayes before. *Monte* suborned some to aske the Physitians whether those infirmities were not contagious. The Physitians, who, in their Prognostiques, alwayes say the worst they can, because if they proue true, they seeme learned, in hauing foreseene them, if not, they seeme more learned in remedying or preuenting them, spake some ambiguous word, which was studiously spread abroad, and beleeued by some of the meaner sort. Some others also were credulous of it, especially those who were willing to depart, and therefore wished it were true. And after the Session, a Bishop dying opportunely, interred with the obsequies of the whole Councel, made the matter more conspicuous. Whereupon all *Trent* was full, that the disease was contagious, and the fame was spread in all the bordering places. The Legats, to shew they had no finger in dispersing this fame, held a general congregation the next day after the Session, to digest what should be discussed concerning the Eucharist, and, the weeke following, the Congregations of the Diuines did begin. But the fame being increased, *Monte* gaue order to *Hercules Sinerolo*, Proctor of the Councel, to make a Proces concerning the pestilent infirmity. The Physitians were examined, and *Ieronymus Fracastorius* amongst others, who had the title of the Physitian of the Councel, and other persons besides. It was reported that the neighbour places would haue no more commerce with the citie: which made many Prelats aske leaue to depart, either for feare, or for desire to go from thence by all meanes. *Monte* gaue leaue to some, that their departure might be alleadged as one of the causes; others, with whom he was more familiar, he perswaded to tarry, indeed, not to want adherents when he should propose the Translation of the Councel, but, to shew, that the Councel might not dissolue, and therefore he wished them to require in the Congregations, that some order might be taken. The Proces was prosecuted vntill the 8. day, when newes came, either true or fained, that *Verona* would traffique no more with them: which troubled them all, because they should be as it were all in prison.

The pretence for the Translation.

Therefore the 9. day a generall Congregation was held concerning this: in which the Proces was read, and a proposition made, what remedy might bee found that they might not be confined, with a disease in their houses, and depriued of Victuals and other necessaries. Many protested they would depart, and could not be held; and, when euery one had bin spoken, *Monte* proposed the translation of the Councel, saying he had Apostolike authority to doe it from the beginning, and caused the Popes Bull to be read, directed to the 3. Legats, *Monte*, *Santa Croce*, and *Pool*. In which, hauing declared that he had established the Councell in *Trent*, & sent them thither, as his Legats, and Angels of peace, to the end that so godly a worke might not be hindered by the incommodities of the place, he giueth power to any two of them, in absence of the third, to translate it into some other citie, more commodious, opportune, and secure;

The Bull of the Translation is read.

and

and to command the Prelats, vpon censures and punishments, not to proceed any further in *Trent*, but to continue it in the City vnto which they shal transferre it, & to call thither the Prelats, & other persons of the Councel of *Trent*, vpon paine of periurie, & other censures, set down in the letters of the conuocation, & that he will ratifie whatsoeuer they shall doe, any thing to the contrary notwithstanding. The Emperors Prelats answered immediatly, that the disease & the dangers were not so great, that the timorous might haue leaue to goe, vntill the opinion were past, which, by the help of God, would vanish quickly, and if the Session were deferred, it was no matter: that many departed the yeere before for the suspicions of warre, and the Session was deferred more then 6. moneths, and that they might doe so now, if there were occasion. And other such reasons they brought. The disputation concerning this was long. When the Congregation was ended, the *Imperialists*, conferring among themselues, and seeking curiously that which before they cared not to know, they smelt out that it was not a generall disease, but a pretence.

1547
PAVL 3.
CHARLES 5.
EDWARD 6.
FRANCIS 1.

The Emperors ministers doe discouer the plot.

The next day a Congregation was called to consult vpon the same matter. It was found, that 11. Prelats were already parted, & they began to speake of the place whither to goe. That it should be in *Germany*, all did abhorre. It could not bee in the State of any Prince, because they had treated with none. There remained only the State of the Church. The Legats proposed *Bolonia*; which pleased all those that approued the Translation. The *Imperialists* did contradict, and some did almost protest: but the maior part consented. Some doubted the Pope would take the translation ill, because it was made without his knowledge. But *Monte* said, that sudden chances, and perils of life are free from these respects, and that hee would vndertake the Pope should be contented. Consideration was had of the Emperour, and other Princes, and it was concluded, that if they made mention of them in the Decree, they gaue satisfaction to the reuerence which they did owe them: and to satisfie, in some sort, those, who approued not the translation, they made some mention of returning. The Decree was proposed, by way of deliberation. Doth it please you to declare that this disease is manifest, in regard of the predictions, and other things alleadged so notoriously, that the Prelates cannot remaine in this Citie, without danger of their life, nor can be kept here against their wills; and because of the departure of many, and protestations of others, by whose departure the Councell would be dissolued; and for other causes alleadged by the Fathers, notoriously true and lawfull? Doth it please you to declare, that, for the securitie of the Prelats liues, and prosecution of the Councell, it ought to be transferred to *Bolonia*, and is now transferred, and that the *Session* intimated, for the 21. of April, shall bee celebrated, and all things prosecuted there, vntill the Pope and Councell shall thinke fit to reduce it into this or some other place, by the aduise of the Emperor, the French King, and other Christian Kings and Princes?

The next day the Session being held, and the Decree read, 35. Bishops, and three Generals did assent. But the Cardinal *Pacceco*, and 17. other Bishops opposed. Among those that consented, there was not one of the Emperors subiects, but *Michael Saracenus*, a Napolitan, Archb. of *Matera*. But amongst those that consented not, there was *Claudius della Guische*, Bishop of *Mirpois*, and

A Session is held to reade the Decree of the Translation to Bolonia.

1547
PAVL 3.
CHARLES 5.
EDWARD 6.
FRANCIS 1.

Martelli, Biſhop of *Fieſole*, and *Marcus Vigerius*, Biſhop of *Sinigaglia*, whom the Cardinall of *Monte* did vpbraid, that his vncle beeing drawen from a baſe eſtate to the height of the *Cardinalitie*, from whence the greatnes of his houſe, and his own Biſhoprick did proceed, he did ill requite the Apoſtolike Sea. For anſwere hee vſed the words of S. *Paul*, *God is not mocked*. The Legats departed, with the *Croſſe* caried before them, accompanied with the Biſhops of their faction, with ceremonies and prayers.

The *Imperialiſts* were commanded by the *Emperors Ambaſſador*, not to depart vntill his Maieſtie were informed, and gaue them order. In *Rome* the *Court* was glad they were deliuered from danger. For there was already great confuſion and ſale made by the poſſeſſors of many Benefices, who ſought to vnburthen themſelues, but ſo as that they would loſe no commoditie. The Pope ſaid, that hauing giuen his Legates power to tranſlate the Councell, and promiſed to ratifie what they ſhould determine, and cauſe it to be executed, and they hauing iudged the infection of the ayre to be a lawfull cauſe, he could not chooſe but approue it, and the rather, becauſe the maior part of the Prelates did conſent.

Which is approued by the Pope.

But none was ſo ſimple, as not to beleeue that all was done by his commandement, it being certaine that nothing, how little ſoeuer, was handled in the Councel, without order firſt had from *Rome*. For which purpoſe letters comming once euery weeke, and ſome weeks twice, it was not credible, that a matter of that importance, was hatched in the Legates braines. Beſides, onely to bring ſo many perſons into a Citie, ſo iealous as *Bolonia*, without conſent of the Prince thereof, ſeemed to be a thing which the Legates would neuer haue attempted. Many did beleeue that the Bull had not a true date, but was newly made, though the date were old, and with the name of Card. *Poole*, to giue greater reputation: otherwiſe that clauſe, in which authoritie is giuen vnto two of them, the other being abſent, to tranſlate the Councell, would ſeeme a kinde of prophecie, that *Poole* ſhould depart a yeere after; and the libertie to transferre it to what Citie they liſted, ſeemed too large, and improbable, conſidering the ſuſpicion alwayes fixed in the minde of the Popes, that the Councell ſhould be celebrated in an vnfaithfull Citie, ſhewed more then euer by Pope *Paul*, when hee did call it. So that it was incredible that hee would, vnneceſſarily, expoſe himſelfe to the diſcretion of another, in a matter of ſo great weight. Yet, following the notes which I haue ſeen, as I haue ſaid before, I aſſure my ſelfe, that it was made two yeeres, and ſent 18. moneths before this time. But that which could not be concealed, and which did ſcandalize euery one, was, that, by that Bul, it appeared that the Councel was in ſeruitude. For if the two Legats could command all the Prelats, at once, to part from *Trent*, and compell them by puniſhments, and cenſures, let any man ſay that can, what libertie they had? The Emperor, hearing the newes, was much diſpleaſed, becauſe, it ſeemed, hee was deſpiſed, and becauſe hee ſaw a weapon taken out of his hand, by managing whereof according to opportunitie, hee thought to ſet Religion at peace in *Germany*, and ſo to put it vnder his obedience. The newes came not to the French King, who the 21. of the ſame moneth, changed this life for a better.

The date of the *Bull* is ſuſpected by many.

It appeareth by the *Bull*, that the *Councell* was not free.

The Emperor is offended with the *Tranſlation*.

The French King dieth.

THE

1547
Paul. 3.
Charles 5.
Edvvard 6.
Henrie 2.

THE THIRD BOOKE OF THE HISTORY OF THE COVNCELL OF TRENT.

I Am not ignorant of the lawes of Histories, and how they differ from Annals, and Diaries. I know likewise, that the narration of vniforme accidents, breedeth satiety in the writer, and tediousenesse in the reader: and that to recount small matters too particularly, deserueth the name of a foolish knowledge. Yet I obserue frequent replies, and little narrations, in *Homer*, and that, in the expedition of *Cyrus* the yonger, *Xenophon* doth more rauish and instruct the minde, by reciting the serious and merry discourses of the souldiers, then by relating the actions and counsels of Princes. I am of opinion, that euery matter hath his proper forme, and that this of mine, cannot bee composed with ordinary rules. I assure my selfe, that this worke will bee read by few, and is of a short life; not so much for want of forme, as for the nature of the subiect. And I am so perswaded, by that which I see happen in the like things. But not regarding perpetuity, or continuance of time, it shall suffice me that it will please some one, to whome I will shew it, because I know hee will make vse of it; and I am assured that, for hereafter, that will happen to it which the coniunctures shall comport.

The censure of the author concerning this worke.

The Prelates remayning in *Trent*, were in great suspence, vntill letters came from the Emperour, commending them for contradicting the *Translation*, and abiding in *Trent*, with expresse order not to part from the Citie. They consulted among themselues, whether they should doe any Conciliatie act: and it was vniformely resolued, that it would make a schisme, and therefore was not to be attempted: but that they ought to study the points, and to expect what opportunity would bring. There passed some writings betweene the Diuines of *Trent*, and of *Bolonia*. These did, with affectation call it the *Synode* of *Bolonia*; and those, the *holy Synode*, bee it where soeuer it will. And some of them remaine still in Print in *Bolonia*. The Legates, and other

The Emperors Prelates remaine in *Trent*.

Writings passe betweene the Prelates of *Trent* and of *Bolonia*.

1547
PAVL 3.
CHARLES 5.
EDVVARD 6.
HENRIE 2.

other Cardinals of *Rome*, made diuers requests in priuate, vnto some of those who remayned in *Trent*, to cause them to goe to *Bolonia*, or, at the least, to make them depart from thence. But they gayned none, but *Galeatius Florimante*, Bishop of *Aquila*. They laboured to bring to the *Session*, all their friends that parted from *Trent*, and that more should come also: which was easie to doe, by reason of the commodious passage from *Rome* thither. Diuers Congregations were made, in which nothing was handled but how they might defend the *Translation* to bee lawfull, and to shew that those of *Trent*, were bound to ioyne with them.

The first Session in *Bolonia*

The 21. of Aprill beeing come, the day appointed for the Session, with great concourse of all the people of *Bolonia*, and much solemnity, the Legats, accompanied with thirty foure Bishops, went to the Councel house; where nothing was done, but a Decree reade, which said, that, it beeing resolued in *Trent* to translate the *Synode* to *Bolonia*, and to celebrate the *Session* that day, publishing Canons in matter of the Sacraments, and of reformation, yet considering, that many Prelates of the Councel, were imployed in their Churches, by reason of the holidayes of *Easter*, hoping they will returne ere long, that all may bee done with honour and grauity, the *Synode* hath deferred the celebration of that Session, vntill the second of Iune, reseruing power to themselues to abreuiate the terme. It was decreed also, to write letters in the name of the *holy generall Synode*, to the Fathers remayning in *Trent*, exhorting them to goe to *Bolonia*, and to vnite themselues with the Body, from which beeing separated, they cannot be called an Ecclesiasticall Congregation, but doe giue much scandall to Christendome. These letters, beeing receiued in *Trent*, were thought not to be discreet, and did rather exasperate then mollifie their mindes. Therefore they resolued not to answere, for feare of making a contention, and so to let the attempt fall; which was ascribed to the Cardinall of *Monte* his too much liberty, not to the moderation of that Assembly.

The Elector of *Saxonie* is taken prisoner in bataile, and the Landgraue of *Hassia* doth yeeld.

The Emperour, who was in *Saxony* with a puissant armie, in the very face of that Elector, wholy busied in martiall affaires, had laid aside all thoughts of the *Councell*. And the 24. of the same moneth, hauing put his armie in order, vpon the riuer *Elb*, called by the Latines *Albi*, came to a set battaile; where the Duke Elector was wounded and taken prisoner, and his armie defeated. The Protestant forces beeing weaked hereby, the Landgraue was enforced to yeelde, and some few dayes after, by the mediation of his sonne in law *Mauritius*, and the Elector of *Brandeburg*, did willingly make his personall appearance. The Duke was first condemned to die as a traytor, and then his life was giuen him, vpon diuers hard conditions; all which he accepted, but his submission to the Councel, in matter of religion. And *Cæsar* was content, that the others beeing obserued, this should bee omitted. Other conditions were proposed also to the Landgraue; amongst which one was, to obey the Decrees of the Councel of *Trent*; whereunto he consented not, but subscribed to referre himselfe to a godly and free Councel, where the Head and the members might be reformed; which also the Duke *Maurice*, and the Elector of *Brandeburg* would doe. They were both imprisoned, the Saxon for euer, and the Landgraue during the Emperours plea-

The *Saxon* is condemned to die, but his life is giuen vpon hard conditions.

sure.

sure. *Cæsar* beeing made Lord of *Germany* by this victory, became Master of a great deale of Artilery, and drew much money from the Cities and Princes, and to giue a peaceable forme to what he had atchieued by warre, heordayned a Diet in *Ausburge*. 1547 Pavl 3. Charles 5. Edward 6. Henry 2.

These things did much afflict the Pope, who cõsidered that *Italy* was without help, & remained at the Emperors discretion. Yet he was comforted, that hauing gotten the conquest by force, he would be compelled to maintaine it by the same meanes, and could not remooue his army frõ thence very soone. In the meane space he had time to treat & agree with the new French King, and the *Italians*, and to secure himselfe. In all these troubles he was consolated, being deliuered from feare of the Councell. Hee commended aboue measure, the resolution of the Cardinall of *Monte*, to whom hee attributed this benefit. He resolued to send into *France*, *Ieronymus Boccaferrius*, a *Romane*, Cardinall of Saint *George*, in shew to condole with the King, for the death of his father, and to giue him ioy of the beginning of his kingdome, but with commission to make intelligence, and confederation with him. The Pope gaue the Legate most ample power to grant the King all his demaunds, in matter of benefices, without regarding the decrees of the Tridentine Councel. And, to be ready to embrace all occasions, which might arise in *Germanie*, to trouble the Emperour, & that no resolution might be taken in the diet to his preiudice, he sent *Francis*, Cardinal *Sfondrato*, for Legat, with instruction to treat with the Cleargy, and to keepe them in deuotion; to make diuers propositions to the Emperour, to establish the Councell in *Bolonia*; which, if it were not in a place of his owne subiection, he feared more then the Emperors armes in *Italy*.

The Pope is afflicted in mind with the Emperours prosperity.

Make h a cõfederation with the new French King.

And sendeth a Legate into *Germany*.

At this time there was a great sedition in *Naples*, because the Vice-roy, D. *Pedro di Toledo*, desired to bring the *Inquisition* into the kingdome, according to the custome of *Spaine*. The *Napolitans* resisted, and made a seditious cry throughout *Naples*, *God saue the Emperour*, and confound the *Inquisition*: then, being assembled, they chose a Magistrate to defend them, saying, That when they yeelded their obedience to the Catholique King, they made an expresse capitulation, that causes of heresie should be censured by ordinary Ecclesiasticall Iudges, and that the particular office of the *Inquisition* should not bee brought in. For this cause the *Spaniards* and *Napolitans* did seditiously take armes, and many were slaine, and there was danger of rebellion. When all things were set in order, fifty thousand men being put in armes, assembled by the sound of bels, the Spaniards being retired into the Castles, and the people fortified with artillery, in conuenient places, there was, as it were, a formall warre, betweene the Citie and the Castles. The tumult lasted from the end of May, vntill the midst of Iuly, and more then three hundred persons were slaine on both sides. In which *interim* the Citie sent Ambassadors to the Emperour and the Pope, offering to yeald if they might bee receiued. It was enough for the Pope to nourish the sedition, which he did with much dexterity, hauing not forces to maintaine the enterprise. But the Cardinall *Theatinus*, Arch-bishop of that Citie, promising them the adherence of all his kinred, who were many, and potent, and his owne paines also, who, to that purpose, would goe in person, did effectually exhort them not to let slip

A great commotion is raised in *Naples* by bringing in the Inquisition.

And nourished by the Pope.

an

1547
Pavl 3.
Charles 5.
Edvvard 6.
Henry 2.

an occasion, so profitable for the seruice of the Church, gaining vnto it so great a kingdome. The Spaniards, calling succours from diuers parts, became more potent, and letters came from the Emperour, that he was content there should be no Inquisition, and pardoned the Citie, except nineteene al which he named but one, whom he would discouer when time serued: yet the City paid for a fine an hundred thousand crownes. These conditions were of necessity receiued, and those fewe of the nineteene who could bee found, were put to death; and so the tumult was appeased.

But appeased by the Emperour.

The Councel in *Bolonia* proceedeth slowly.

In *Bolonia* the Legats did not well know as yet what to doe; and the Pope had commaunded them not to proceed to any action, which might be opposed, or make a diuision, but to goe on slowly, deferring the Sessions, and making some Congregations, to shew they were not idle. But it was not easie to make them in a good forme, to discusse the point of the Eucharist, in regard the principall Deuines, accustomed to handle matters of faith in *Trent*, were wanting. Yet some Congregations were held, and diuers Deuines did speake, but no Decree was framed. There is no cause to speake any more of the Reformation, because it was then buried in deepe silence.

The reformation is wholly forgotten.

The second Session is held and nothing done.

The second of Iuly being come, the Session was celebrated with the same ceremonies; where they did nothing but prorogue it, with a decree like to that of the forme, shewing that the Synode had deferred it vntill that day, because the Fathers were absent and expected: whereupon, being desirous to deale louingly with them, they added another prorogation, vntill the fifteenth of September, not ceasing in the meane space to examine the points of doctrine and Reformation, reseruing to themselues power to abbreuiate or prolong that terme, though in a priuate Congregation.

A strong alliance is made betweene the Pope and the French King.

In *France* it was not hard for the Legate to obtaine of the King whatsoeuer the Pope desired. For he also was no lesse iealous of the Emperours fortune; and there was good intelligence betweene them, and very secret propositions did passe. Amongst the publike, one was, that the King should send to the Councell of *Bolonia*, as soone as might be, as many Prelats as was possible. Marriage was contracted betweene *Horatius Farnese*, the Popes Nephew, and *Diana* the Kings bastard Daughter, of the age of nine yeeres. The King sent nine French Cardinals, to remaine in the Court, to giue the Pope reputation, and to nourish friendship betweene them.

Two Cardinals are created at the kings instance

The Pope created Cardinals, the fixe and twentieth of Iulie, at the Kings instance, *Charles di Guisa*, Arch-bishop of *Reins*, and *Charles* of *Vandosme*, of the blood royall.

The Emperor holdeth a Diet in *Ausburge*.

In the end of August, *Cesar* went to *Ausburg*, to celebrate the Diet there, hauing about the Citie, the whole Armie of Spaniards and Italians, and some companies of foote within the Citie. It began the first of September, where the Emperor desiring principally to pacifie *Germanie*, did impart what he had formerly done in diuers Diets, to reconcile it, and how, for this end, he had caused the Councell to bee called, and to begin in *Trent*; but that his paines auailing nothing, he was constrained to passe to another remedie. And because it pleased God to giue a happy issue to his resolution, reducing *Germanie* to those termes that he was assured to reforme it, he had assembled the Princes for that end. But for that the difference of Religion was cause of all those troubles

troubles, it was neceſſarie to begin there. The opinions of the Princes in that Diet were diuers; for amongſt the Electors, the Eccleſiaſtiques deſired and vrged, that the Councell of *Trent* ſhould be held, and demanded no condition. The Seculars, adhering to the Lutherans, were content, with theſe conditions; that it ſhould be free, pious, that the Pope ſhould not preſide, neither in perſon, nor by his Miniſters, ſhould releaſe the oath by which the Biſhops are bound vnto him, that the Proteſtant Diuines ſhould haue a deciding voice, and that the Decrees already made ſhould be reexamined. The other Catholikes demanded that the Councel ſhould be continued, & the Proteſtants haue ſafe conduct to goe thither, and ſpeake freely, and be inforced to obey the Decrees.

1547
PAVL 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

In which the Princes differ in opinion.

While the Pope was in expectation of the ſucceſſe of the Diet in *Germanie*, the 10. of September, his ſonne, *Petrus Aloiſius*, Duke of *Piacenza*, was ſlaine in his owne pallace, by conſpiracie, and his body ignominiouſly expoſed; and, ſome few houres after, Souldiers came from *Milan*, ſent by the Vice-Duke, *Ferrandus Gonzaga*, who made themſelues Lords of the Citie. This afflicted the Pope aboue meaſure, not ſo much for the death of his ſonne, and the ignominie, as for the loſſe of the Citie, and becauſe hee ſaw plainely that all was done with the Emperours knowledge.

The Popes ſon is murdered in his owne pallace, and his citie Piacenza poſſeſſed by the gouernor of Milan.

But the Legats in *Bolonia* thought, that in this affliction and buſineſſe of the Pope, it was not fit to write two letters euery weeke, of what did paſſe in the Councell, as they were wont, and therefore that it was conuenient to prorogue the Seſſion for a long time, and to intermit all Actes of the Councell; which would bee done with honour enough, if the Seſſion, intimated for the fifteenth, were celebrated, and the next deferred. Yet the publike griefe, for the Dukes death, requiring that no ſolemnitie ſhould bee made, they deemed it was better to anticipate, and deferre it in a Congregation. Therefore the foureteenth, the Prelates being all called into the houſe, where the Cardinall of *Monte* was lodged, he ſpake vnto them, thus in ſubſtance. That the morrow was appointed for the Seſſion; but euery one ſaw in what ſtraits the Synode was; that not many Prelates are arriued, who are in their iourney, eſpecially the French men, and thoſe who are lately come, are not well informed, yea euen thoſe who haue beene preſent the whole Summer, at the diſputation of the leſſer Diuines, are not well in order: whereunto was to bee added the cruell murder of the Duke, which held euery one in ſuſpence, and themſelues buſied in prouiding for the ſecuritie of the Cities, belonging to the Church: that hee was glad he had reſerued power to prorogue the Seſsion, that they may be freed from the paines of going to the Church, to celebrate it: that his aduiſe was, yea that it was neceſſary to make vſe of that reſeruation, prolonging the Seſſion now, and not celebrating it to morrow. The prorogation pleaſed all the Fathers. The Cardinall added, that, hauing conſidered much of it, they were not able to ſet downe a certaine day whereon to reſt: that, when they were in *Trent*, thinking to diſpatch the Decree of iuſtification in fifteene dayes, they were faine to ſweate in the buſineſſe ſeuen moneths together, often times making two Congregations euery day: that where the queſtion is of faith, and confounding the heretikes, one ought to goe with leaden feete, and often to imploy much time

C. Mont maketh a ſpeech to the Fathers in his owne lodging for prorogation of the Seſſion.

in

1547
Pavl 3.
Charles 5.
Edward 6
Henry 2.

in discussing a little word; that one cannot know whether it will bee necessary to celebrate the Session within few dayes, or not within many moneths; therefore that his opinion was to prorogue it during pleasure of the Councell; and that this resolution was vndoubtedly the best. And if any say, that, the prefixed time beeing knowen, one might better dispose of his businesse, these may assure themselues, that it will appeare within few dayes, what course and progresse the Synod is like to haue. All were content it should bee prorogued, during the Councels pleasure, and so they had leaue to depart.

The Prelates assembled in the Diet write to the Pope to restore the Synod to *Trent*.

The Prelates of *Germany*, assembled in the Diet the very same day, wrote to the Pope, for so the Emperours pleasure was, demanding that the Councell should be brought backe to *Trent*. In the letter was mixture of prayers and threats. It expounded the bad estate and danger of *Germany*, against which prouision might haue been made, if the remedy of the Councell had been applied in time, and held in *Germanie*, as was desired. For hauing ample iurisdictions, they could not long remaine in remote places; for which cause none went to *Mantua*, or *Vicenza*, and but few to *Trent*, a Citie which belongeth also rather to *Italie*, especially in time of warre. Now, all things beeing in peace, they conceiued great hope, that the ship was safe in the hauen, when, beyond all expectation, they vnderstood the Councell, in which all their hope consisted, was translated to another place, or rather diuided. Therefore beeing depriued of this remedie, there did nothing remaine, but to haue recourse to the Apostolike Church, praying his Holinesse, for the safetie of *Germanie*, to restore the Councell to *Trent*; which if he did, there was no seruice which he might not promise himselfe from them; and that otherwise they knew not whither to flie for ayde, against the mischiefes and dangers that were imminent; that therefore hee would vouchsafe to consider of their demand, and thinke that if hee made not prouision, it was very possible they should thinke of other courses, to put an end to these difficulties: Praying his Holinesse to take their Letter in good part, being compelled to write thus, by their owne duetie, and by the condition of the times.

The Emperor obteineth of the Princes and *Granuel* of the Cities a conditional submission to the Councel.

Moreouer, the Emperour vsed all diligence that all should submit to the Councell, vrging, praying, and desiring them to relie vpon his credit. His prayers to the Elector *Palatine* were a kinde of threates, in regard of his former offence, lately pardoned. *Maurice*, Duke of *Saxonie*, was necessarily to yeeld, because of so great benefits, newly receiued from his Maiestie, and because hee desired the enlargement of the *Landgraue*, his wiues father. Therefore the Emperor, hauing promised they should haue due satisfaction, & desiring them to trust vnto him, they finally consented, & were followed by the Ambassadors of the Elector of *Brandeburg*, and by all the Princes. The Cities refused (because they thought it very dangerous) to submit themselues indifferently to all the Decrees of the Councel. *Granuel* did negotiate very much, & very long, with their Ambassadors, holding them obstinate, in refusing what the Princes had approoued, adding some threats, to condemne them in a greater summe then they had already paid. Therefore they were compelled, in fine, to condescend to *Cæsars* will, yet with caution of obseruing the promises.

promises. Beeing called before the Emperor, and demanded if they would conforme themselues to the resolution of the Princes, they answered, they should be too bold, if they went about to correct their answere, and, withall, gaue vp a writing, which conteyned the conditions, with which they would receiue the Councel. This was taken, but not read, and they were commended, in the Emperours name, by his Chancellour, for that they had referred all to *Cæsar*, as others had done, and relied vpon him: and the Emperour himselfe made shew to be well pleased with it: so the one and the other party was willing to be deceiued. 1547 PAVL 3. CHARLES 5. EDWARD 6. HENRY 2.

The Cardinall *Sfondrato* failed not of his duety, in proposing many aduantages to the Emperour, in case he would consent to the Councel in *Bolonia*; he shewed him in what confusions *England* was, beeing vnder a King who was a childe, whose gouernours were at variance, and people in distrust one of another, because of religion: he discouered vnto him, the intelligence which the Pope held in that Kingdome, all which should bee to his fauour, and that he would assist him in that enterprise with men and ships, and would giue him leaue to make vse of the Ecclesiasticall rents of all his States. The Emperour knew the Popes aime was to intangle him in a new enterprise, and so to trouble him in that which already hee had brought to a conclusion. Therefore hee answered, that hee would bee vnited with the Pope in religion, but, in point of warre, was resolute to proceed alone, and not to be his Captaine, who would abandone him in the best time of seruice, as he had done in the warre of *Germany*. And, on the other side, he proposed diuers aduantages to the Pope, in case hee would consent to the returne of the Councel to *Trent*. The Legate hauing answered, he had no commission herein, the Emperour sent, in diligence, the Cardinall of *Trent* to the Pope, to negotiate the restitution of the Councel, and other particulars, which shall be related. The Pope, hauing heard him often, and not beeing able to discouer his intention, did finally answere him, that he should speake hereof in the Consistory. The negotiation of Card. *Sfondrato* with the Emperor.

The Cardinall hauing, the ninth of December, in presence of the whole Colledge, declared what paines and dangers, the Emperour had vndergone, onely to maintaine the dignity of the Councel, and how, finally, by his diligence and authority, he had induced all the Princes and States of *Germany*, to adhere, and submit themselues vnto it, hee prayed his Holinesse, in the name of *Cæsar, Ferdinand*, and the whole Empire, that, for the loue of God, he would cause the Bishops who were at *Bolonia*, to returne to *Trent*, to finish the necessary worke begunne, and would be pleased to send one or two Legates into *Germany*, with full Pontificall power, not keeping from them any *Faculty*, that the maner of liuing, vntill the Councel beganne, might bee set downe by their aduice, and the Clergie reformed; that he would haue consideration and determine, if the Sea were vacant, during the time of the Councel, whether the Fathers thereof, or the Cardinals, should elect the Pope, that, in case it should happen, no new stirres might arise. This third point was added, to put the Pope in mind of his old age, and approaching death, and so to make him condescend more easily, that his posterity might not inherite the displeasure which the Emperour tooke at his renitency. The And of the Cardinall of *Trent* with the Pope. The Pope is put in minde of his old age.

Pope,

1547
Pavl 3.
Charles 5.
Edvvard 6.
Henry 2.

Pope, in answere of these propositions, commended the Emperours good will, and his paines, for publique seruice of the Church, concluding hee would haue such consideration of these propositions, as they deserued, and resolue, as God would inspire him. The Cardinall, hauing, in diuers priuate audiences, assayed in vaine to haue some good resolution from the Pope, leauing the instruction to *Don Diego di Mendoza*, whom the Emperour had caused to go for that purpose to *Rome* frō *Siena*, where he was to accōmodate the differences of that Republike, he departed, and returned to *Ausburge*. *Don Diego*, in publique Consistory, assembled to giue the cap to the Cardinall of *Guise*, where all sorts of men might be present, presented himselfe before the Pope, and expounded vnto him the same things, which the Cardinall had done, adding, that he had commission, in case his Holinesse did interpose any delay or excuse, to protest that the Synode of *Bolonia* was not lawfull. The Pope answered, that he would first vnderstand the opinion, and the reasons of the Fathers of the Councell of *Bolonia*, and impart the proposition to the Kings and Princes of Christendome, that he might resolue maturely, for the seruice of God, and satisfaction of all.

The Card. of *Trent* returneth, leauing *Don Diego* in his roome.

The Popes answere concerning the returne of the Councell.

The Cardinall of *Guise* made a publike discourse in the same Consistorie, in the name of the French King, and spake thus in substance. That King *Francis* had neuer spared any cost or danger, to maintaine the libertie of other Princes. In conformity whereof, *Henrie*, not degenerating from the vertue of his ancestors, so soone as he left to mourne for his Fathers death, was willing to declare his obseruance towards the Sea of *Rome*. That the merits of the Kings of *France* towards the Pope, were famous, and exceeded all those of other Nations: but this was aboue all which the King now doth, promising all his forces to preserue the Papall dignity, now when it is so contemned. He prayed the Pope to receiue the King for his sonne, and to promise to himselfe all assistance from him, and to take care that the Church should receiue no dammage or shame, in regard, that, from small beginnings, great factions haue risen, which haue brought the Popes into great calamities. He exemplified in many Popes, afflicted, who were defended, and raised by the Kings of *France*, concluding that the present King will not yeeld to his ancestours, in preseruing the dignitie of the Apostolique Sea.

The discourse of the Cardinal of *Guise* in the Consistory.

Many did think that the Pope made *Guise* speake so, to encourage the Cardinals his dependants, and to daunt the lofty spirits of the Imperialists, & to make them see they could not enforce him. And to execute what hee had said to *Don Diego*, he wrote to *Bolonia*, to the Cardinall of *Monte*, the proposition made vnto him, and his owne determination, giuing him order, that so soone as might be, inuocating the holy Ghost, he should deliuer all to the Fathers, and when he had vnderstood their opinion, should write back what the Councell thought. The Legate, the Fathers being assembled, declared the commissions, and gaue his owne voyce first, which all the others followed. For the spirit which was wont to moue the Legates to thinke as the Pope did, and the Bishops to beleeue as the Legates, did worke as formerly it had done. The voyces being collected, the Cardinall, by the consent and in the name of all, answered, that the Synode, when the lawfull decree was made, to translate it from *Trent* to *Bolonia*, hauing admonished all to put themselues

The manner how the spirit did worke in this Councel.

themselues into the iourney, and, after that they were arriued in *Bolonia*, vnderstanding that some remained in *Trent*, hauing againe louingly exhorted them to part from thence, and ioyne with the bodie of the Councell, they made none account thereof, continuing still in that Citie, with contempt of the Councell, and scandall of many, as if they pretended to bee a lawfull Councell, or were not bound to obey this; and therefore that the Fathers did not know how the returne to *Trent* could be treated of, with the honour and reputation of the Synode, if those who remaine there doe not first goe to *Bolonia*, to vnite with the rest, and acknowledge the power of the Councell. When this is done, the returne, in contemplation of *Germanie*, may be handled, if that nation will giue sufficient securitie to obey the Decrees, as well to be made, as made alreadie. He added that there was a fame spread, that when the Councell returned to *Trent*, the proceeding should be popular, and licentious. Therefore the Fathers thought it necessarie to haue good securitie, that the order, continued in the celebration of Councels from the Apostles time, vntill this age, should be obserued; desiring also caution, to stand secure, and to be able to depart, and translate also the Councell, when it shall seeme fit to the maior part, and to ende it when they shall iudge that they haue attained the end for which it was called; desiring his Holinesse not to compell them to that which would be against the honour of God, and libertie of the Church.

1547
PAVL. 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

The answere sent from *Bolonia* concerning the returne of the Councell.

The Pope hauing receiued these letters, when the Masse was ended on Saint *Iohn* the Euangelists day, being returned to the Chamber of the robes, with the Cardinals, did communicate the Councels answere vnto them: which being approoued by the maior part, he caused *Mendoza* to bee called, and related vnto him the opinion of the Synode, approoued also by the Cardinals, adding that there was nothing that he was not willing to doe for *Germanies* sake: that the Emperour was a good witnesse heereof; that he was sure that the demand, which he the Ambassador had made, in the name of *Cæsar*, *Ferdinand* and the Empire had a condition annexed, that is, if it may be with the peace and profit of other Nations, and libertie of the Church: which being assembled in a generall Councell, seeing it hath iudged otherwise, and that the Colledge of Cardinals was of the same opinion, he could not choose but repute it iuridicall, and reasonable, and approoue it, as he also did. That, for his fatherly affection, towards the Emperour, and the King, hee wished he could giue a more acceptable answere; but from a Pope, Head of the Church, nothing could be expected, but what the well gouerning of the publike did compell him to resolue: that hee knew the Emperours wisedome, and his filiall loue, and was confident he would receiue this for good, which was thought necessarie by so many Fathers, and would command the Spanish Prelates in *Trent*, to goe presently to *Bolonia*, and labour to make *Germanie* receiue the conditions proposed by the Councell, and send, as soone as might bee, the Dutch Prelates, and giue the Synode caution that the conditions proposed should bee obserued. *Mendoza*, vnderstanding the Popes resolution by his answere, would instantly haue protested, that the assembly of *Bolonia* was not a lawfull Councell, and that his Holinesse, if hee brought it not backe to *Trent*, would be cause of all the mischances that should happen

Which the Pope doeth communicate to the Cardinals in Consistorie, & to the Emperours Ambassador.

Who would haue protested, if hee had not beene dissuaded by the Car. of *Trent*.

1547 to Christendom, & that, he fayling, the Emperor, as Protector of the Church, would make prouision. But the Cardinall of *Trani*, Deane of the Colledge, and some other Cardinals, interposing, hee was content to relate the answere to *Caesar*, and expect order from him.

Pavl 3. Charles 5. Edvvard 6. Henry 2.

The Pope, considering the action of *Mendoza*, thought that this businesse might make some difference betweene him & the Emperor, in which case he thought it not fit to haue the Prelates of *Germanie* ill affected to him. At the receiuing of their letter, whereof mention was made before, he was offended with the last particle, that they would thinke of other courses, holding it to be a plaine threat, and resolued to giue them no answere, and continued three moneths in that opinion: but now, better aduised, he doubted, that, if they held themselues to bee contemned, they would take some rash resolution, to which the Emperour would giue way, that he might bee intangled in greater difficulties. Therefore being resolued to preuent the danger, by honouring them with an answere, he made it very modest and artificiall, yet not without a conuenient sence of his owne honour. The letter began with commendation of their pietie, which appeared in their care to remedie the heresies, and seditions, and that himselfe was no lesse sollicitous, in regard of his pastorall office, so that hee hath not suffered, nor doeth suffer any time to passe without thinking of some remedie, and had, from the beginning of his Popedome, recourse vnto that which hath beene mentioned by them, that is, vnto the Councell. And heere relating what happened in the conuocation of it, and the impediments, why it came not presently to execution, hee added that, it being assembled, many Decrees haue beene made as wel to cõdemne a great number of the heresies, as to reforme a great part of the Church; that the Councell parted from that Citie without his knowledge, but the Synode hauing power to doe it, hee presupposeth the cause was lawfull, vntill the contrarie doeth appeare: and that although some few haue dissented, yet it cannot bee said that the Councell is diuided. Hee added that it is not translated into a Citie farre remote, and not safe, and that the being of it subiect to the Church, doth make it secure for *Germanie*, which hath receiued Christian religion, and many other benefits from it. That hee cared not whether the Councell were celebrated there or elsewhere, and would not hinder the fathers to choose another place, so they were not forced. But what did hold them from returning to *Trent*, they might see by the letters of *Bolonia*, whereof hee sent them a copie. That hee hath deferred to answere their letters, because the Cardinall of *Trent* comming vnto him in *Caesars* name, and afterwards *Don Diego di Mendoza*, hee was willing to answere the Emperour first. That, by the letters of the Fathers of *Bolonia*, they will see what is fit to doe before the returne bee resolued on. Therefore he prayed them to come or send Proctors to *Bolonia*, and to assist in the Councell. His conclusion was, that hee was not troubled with that point of their letters, where they intimate that new courses shall bee taken, being conscious to himselfe not to haue omitted any part of his dutie, and to haue imbraced *Germanie* with all charitie. That hee promised himselfe from them and *Caesar*, that they would doe nothing without maturitie; but if courses shall bee attempted against the authoritie of the Sea of *Rome*, hee cannot

The Pope writeth to the Prelates of *Germanie* in answere of their letter.

hinder

hinder it, CHRIST hauing foretold as much, when hee founded it, yet hee feared not that their attempts would succeede, because it was grounded vpon a most sure rocke. That others had often-times endeuoured the like, but their plots were euer ouerthrowen: and that GOD gaue example in those, what others, who would tread in the same steps, might hope for. And if the miseries past, will not moone those that are present to desist, yet hee is sure they will remaine constant in their ancient pietie and faith, and in their Congregations will not giue place to counsels contrary to the dignitie of the Church. 1548 PAVL 3. CHARLES 5. EDWARD 6. HENRY 2.

The Emperour, beeing aduised by his Ambassadour of the conditions proposed by those of *Bolonia*, and the Popes resolute answere, though hee saw plainely that his Holinesse couered himselfe with the name of the Councell, and Fathers of *Bolonia*, who did notoriously depend on him in all matters, and receiue all motion from him, to let the world knowe that hee omitted no meanes to set the Councell on foote againe, hee sent *Francis Vargas*, and *Martino Velasco* to *Bolonia*. These comming into the assembly, the sixteenth of Ianuary, where there were no more Fathers with the Legates, the Cardinals of *Monte* and *Santa Croce*, then in the last *Session*, they presented the Emperours letters, which were thus addressed: *Conuentui Patrum Bononiæ*. Which beeing read, and *Vargas* beginning to speake, *Monte* interrupted him, and said, That though the holy Synod was not bound to heare him, in regard the letters were not addressed to it, because it was not a Conuent, but a Councell, yet they refused not to giue him audience, with *Protestation* that it should not preiudice them, or giue aduantage to others, and that it should remaine free to the Fathers, to continue the Councell, and to goe on, and proceed against the obstinate and rebellious, by inflicting the punishments of the Lawes. *Vargas* required, that an instrument should bee made of the *Protestation*, before the *Proposition* was vnderstood; then hee prayed the Fathers, in the name of all Christendome, to proceede with equity, because, persisting in their opinion, not wisely and maturely imbraced, it must needes end with some great publike calamitie; but yeelding to the Emperour, all would succeede well. He went about to shew how dangerous an errour it would bee, not to change their determination, and how wel *Cæsar* was affected to the seruice of God, and the Church. In these words he was againe interrupted by *Monte*, who said, I am heere President of this most holy Councell, and Legate of *Paul* the third, successor of *Peter*, and Vicar of CHRIST on earth, together with these most holy Fathers, to prosecute, for the glory of God, the Councell, lawfully transferred from *Trent*; and wee pray *Cæsar* to change opinion, and to assist vs herein, and to curbe the perturbers of the Councel, in regard his Maiestie knoweth thathe who hindereth holy Councels, bee hee of what degree soeuer, incurreth most grieuous punishments of the lawes; and wee are resolued, that, whatsoeuer happeneth, we will not care for any threats, nor will bee wanting to the honour and libertie of the Church, of the Councell, and our owne.

The Emperour perceiueth ỹ Popes cunning, and sendeth Ambassadors to *Bolonia*: *Vargas*, and *Velasco*.

Vargas is twice interrupted in his speach.

Then *Velasco* read the *Protestation*, which hee had written in his hand; the summe whereof was. That Religion being shaken, manners corrupted, and

The Emperors protestation against the Councel in *Bolonia*.

1548
Pavl 3.
Charles 5.
Edvvard 6.
Henry 2.

and *Germanie* ſeparated from the Church, the Emperour had demaunded a Councel of *Leo*, *Adrian*, *Clement*, and at laſt of *Paul* the third, and ſhewing the impediments and difficulties in calling it, he touched the things handled in it, and added, that while his Maieſtie made warre, principally for Religion, and put *Germanie* in quiet with his vertue, hauing great hope to make them goe to the Councell, who vntill then had refuſed, they, moſt reuerend Legates, againſt the expectation of all, without the Popes knowledge, making a light fained cauſe to ariſe, propoſed to the Fathers the tranſlation of the Councell, without giuing them time to thinke on it; whereunto ſome godly Biſhops oppoſing, proteſting they would remaine in *Trent*, they, with the conſent of a few Italians, decreed the ſaid *Tranſlation*, and parted the next day, and went to *Bolonia*. That the Emperour beeing victorious, ſolicited the Pope many wayes, praying him to make them to returne to *Trent*, ſhewing the ſcandals and imminent dangers, if the Synod did not end in that Citie, and, in the meane ſpace, endeauoured, in the Diet of *Ausburg*, to make all the Dutchmen ſubmit themſelues vnto it. Finally, that he ſent the Cardinall of *Trent* to his Holineſſe, to ſignifie this vnto him, and to pray him to make the Councel returne to *Trent*. That he cauſed alſo *Mendoza* to goe to *Rome* to negotiate the ſame thing: and that the Pope hath taken time to treate with them in their aſſembly; who haue giuen a vaine anſwere, captious, full of deceipt, worthy to bee condemned by the Pope, who notwithſtanding hath approoued it, calling the vnlawfull Congregation of *Bolonia* by the name of a Generall Councell, giuing them ſo great authoritie, that hee knoweth not how to arrogate ſo much to himſelfe. That it was certaine, that the Councell could not bee tranſlated, but by vrgent neceſſitie, diligent diſcuſſion, and conſent of all; that, for all this, they, who call themſelues Legates, and others, did raſhly runne out of *Trent*, fayning certaine Feuers, and infections of the ayre, and teſtimonies of Doctours, which the euent hath ſhewed to bee cauſes not ſo much as of any vaine feare. That in caſe of any ſuch neceſsitie, it was fit to treat firſt with the Pope, and the Emperour, who is Gardian of Councels. But their haſte was ſo great, that they did not ſo much as conſult with themſelues. That it was meete to heare and examine the contradictions and opinions of thoſe Fathers who did ſpeake for conſcience ſake; who, though not ſo many in number, ought to be preferred, as more wiſe. That, in caſe it were fit to depart, they ought not to quit the Countrey, but, according to the Decrees of the holy Councels, to chooſe another place in *Germanie*. That the choyce of *Bolonia*, ſubiect to the Church, could no way bee defended, becauſe it was certaine that the Germans would not goe thither, and that euery one might refuſe it, for many reaſons: which was to diſſolue the Councel, without warning. Therfore the Emperor, to whom it belongeth to defend the Church, & protect generall Councels, to compoſe the diſſentions of *Germany*, & alſo to reduce *Spaine*, and his other kingdomes and States, to a true Chriſtian life, ſeeing that the vnreaſonable departure from *Trent* doth diſturbe his whole purpoſe, hee deſireth them, who call themſelues Legates, with the other Biſhops, to returne to *Trent*, from whence they parted.

That

That they cannot refuse this, because they promised to doe it when the suspi- 1548
cions of the pestilence did cease: which if they will doe, it will bee most ac
ceptable to all Christendome. But if not, they, the Emperours Proctors, by PAVL. 3. CHARLES 5.
speciall mandate, do protest that the Translation or recesse is vnlawfull, and EDVVARD 6. HENRY 2.
void, together with all the things that do, or will follow, and that the autho-
rity of them, pretended Legats, and of the Bishops there present, is not suffi-
cient to giue a law to all Christendome, in matter of Religion, and reforma-
tion of manners, especially to those Prouinces whose manners and lawes are
not knowen vnto them. Likewise they protest that the answere of his Holi-
nesse is not good, but vnlawfull, full of deceipt, illusorie, and that all the
dammages, tumults, ruines, wastings of Countries which haue happened,
do, or may happen, ought not to be imputed to *Cæsar*, but to that Congre-
gation which calleth themselues a Councell it being able most easily and ca-
nonically to giue remedy ther to. Protesting also that the Emperour, in the
defect, fault, or negligence of them, and the Pope, wil make prouision with
all his forces, not leauing the protection and care of the Church, which be-
longeth vnto him as Emperour, and King, according to the lawes, consent
of the holy fathers, and of the whole world. In fine, they demaunded a pub-
lique instrument of whatsoeuer was handled by them, and to haue the Em-
perours mandate, and their protestation inserted in the acts of the pretended
Congregation.

Velasco, after the protestation, presented the same writing which he had Card. *Monte* answereth with great resolution.
in his hand, and required againe that the instance should be registred. The
Cardinall of *Monte*, with consent of the Synode, did most grauely protest,
that they would rather die, then suffer such an example to bee brought into
the Church, that the Secular power should call a Councel. That *Cæsar* is
sonne of the Church, not Lord, or Master. That himselfe and his Colleague,
are Legates of the holy Apostolique Sea, and refuse not to render an account
to God, and the Pope, of their Legation, and that they would answere, with-
in few dayes, the Protestation read vnto them.

Mendoza in *Rome*, hauing receiued the Emperors answere, that he should The Emperors Ambassadour in *Rome* protesteth also.
goe on, and protest to the Pope, in presence of the Cardinals, and Ambassa-
dours of Princes, and vnderstanding what was done in *Bolonia*, by *Vargas*,
and *Velasco*, appeared in Consistory, and kneeling before the Pope, read the
Protestation, which he held written in his hand. Hee began with the Empe-
rours vigilancie and diligence, to reunite Christendome, diuided into diuers
opinions of religion. He shewed what requests he had made to *Adrian*, *Cle-
ment*, and *Paul* himselfe, to perswade them to call the Councel; vnto which
the Rebels of *Germany* refusing to submit, he had compelled them to obe-
dience, by force of armes; wherein, though the Pope (to shew hee would
not bee wanting to the publique cause) did contribute some small assistance
of men, yet it may be said, that the warre is finished onely by the Emperours
forces. In which, while hee was busied, behold the good worke begun in
Trent, was interrupted by a pernicious attempt of transferring the Councel,
vpon pretences, neither true nor probable, to this purpose onely, that publike
quiet might be hindered, notwithstanding the more godly and sound part of
the Fathers did oppose, and remaine in the place. That the name of the

1548
Pavl 3.
Charles 5.
Edvvard 6.
Henrie 2.

Councel ſhould bee giuen to theſe, not to thoſe, who are retired to *Bolonia*, honoured by his Holineſſe, with the name of his adherents, whoſe will hee preferreth before the prayers of the Emperour, and *Ferdinand*, and Princes of the Empire, [illegible]rding the good of *Germany*, nor the conuerſion of thoſe that erre, to reduce whom, ſeeing they are content to ſubmit to the Councel of *Trent*, there remayneth nothing but to reduce it to that City. For which being requeſted, in the foreſaid names, by him the Ambaſſador, he hath giuen an anſwere full of cunning, but voide of reaſon. Wherefore ſeeing that the Euangelicall requiſitions, made by him, the Emperours Ambaſſadour, to his Holineſſe, the 14. and 27. of December, and, the 16. of Ianuarie, by other Proctors of his Maieſtie in *Bolonia*, haue beene neglected in both places, he did then proteſt, that the departure from *Trent*, and Tranſlation of the Councel to *Bolonia*, were void and vnlawfull, will bring contention into the Church, and put the Catholique faith and religion in danger, and doe for the preſent giue ſcandall to the Church, and deforme the ſtate thereof. That all the ruines, ſcandals, and diſſentions, which will ariſe, ought to be imputed to his Holineſſe, who, though hee is bound to prouide againſt them, euen with the loſſe of his bloud, yet doth fauour and cheriſh the authours of them. That the Emperour, in defect and fault of his Holineſſe, will imploy all his forces, to make prouiſion herein, according to the forme ſet downe by the holy Fathers, and obſerued by conſent of the whole world. Then turning to the Cardinals, hee ſaid; that, the Pope refuſing to take care for the peace of religion, vniting of *Germany*, and reformation of maners, if they alſo will be negligent, hee made the ſame proteſtation vnto them; and leauing the writing, which he had in his hand, he departed.

The Pope v-ſeth art to make himſelfe Neutral and Iudge in the cauſe.

The Pope, conſidering the *Proteſtation* of *Mendoza*, and aduiſing of the buſineſſe with the Cardinals, ſaw he was in a ſtrait, and that to be taken for a party, and to haue the contention turned againſt him, was much againſt his reputation: neither was there any remedy, but by finding a way to make himſelfe *Neutrall*, and Iudge betweene them who approoue, and who oppugne the Tranſlation. To doe this, it was neceſſary to decline the *Proteſtation*, that it might ſeeme not to bee made againſt him, but, before him, againſt thoſe of *Bolonia*; in which not beeing able to diſſemble ſufficiently, he reſolued to lay to the Ambaſſadours charge, the tranſgreſſing of his Maſters *Mandat*; thinking that the Emperour, ſeeing his dexterity in blaming his Miniſter, that hee might not breake with his Maieſtie, would imitate him, and proceed as if hee had proteſted againſt thoſe of *Bolonia*, acknowledging the Pope for Iudge. Therefore, on Wedneſday, the firſt of February, calling *Mendoza* into the Conſiſtory, he made a very long anſwere, and ſaide in ſubſtance. That to proteſt, was a thing of bad example, vſed by thoſe who haue ſhaken off obedience, or are not conſtant in it: That himſelfe and the Colledge of Cardinals, are ſorry for that vnexpected action, in regard of the fatherly loue hee hath alwayes borne the Emperour, and becauſe it was done when it was leaſt looked for, hauing made warre, and gayned the victory againſt his owne and the Churches enemies, and beene aſſiſted by the Popes men, maintayned with his immenſe charge: which ſuccours were great, and came in fit time, and deſerued not ſuch a reward

The anſwere of his Holineſſe to the Proteſtation.

after

1548
PAVL 3.
CHARLES 5.
EDVVARD 6.
HENRIE 2.

after victory; that is, that the end of the warre, ſhould be the beginning of proteſting againſt him. But he did mitigate his griefe, becauſe the Ambaſſadour had exceeded the bounds of the Emperours Commiſſion, in which he hath commanded his Proctors at *Bolonia*, to proteſt to the Legates, and to him, to proteſt againſt the Councel of *Bolonia*, in preſence of the Pope and Cardinals, but not againſt the Pope. That the Emperour had done the office of a modeſt Prince, knowing the Pope to bee the onely lawfull Iudge in the cauſe of Tranſlation, which if he ſhould refuſe to determine, then the *Proteſtation* againſt him ſhould take place: and therefore that it was more fit, that if the Fathers, remayning in *Trent*, had cauſe of complaint againſt thoſe of *Bolonia*, they ſhould make the proceſſe before him. But the Ambaſſadour had peruerted the order, leauing the petition which ought to bee made, and requiring an vndue preiudice againſt the Councel; ſo that, the act of the *Proteſtation* falling of it ſelfe, there was no need of an anſwere. Yet to cleere all mens minds, hee would make one. And firſt, for that hee taxeth him as negligent, and commendeth the Emperour as induſtrious, he ſaid, hee would not detract from the good meaning and actions of his Maieſtie, but yet, that he did precede him, as in age, ſo in diligence. Hee ſaid, hee had euer deſired the Councel, and ſhewed it by effects. And heere hee diſcourſed of all his actions, done to this end, and how others did croſſe him, and ſometimes the Emperour himſelfe, with diuers wars. Hee added, that to iudge whether the cauſes of the *Tranſlation* be lawfull or no, was reſerued to himſelfe. That to praiſe thoſe of *Trent*, was to praiſe thoſe who were ſeparated from the Church. That he refuſed not, nor euer did, that they ſhould returne to *Trent*, ſo that it might bee done lawfully, and without offence of other Nations. That to thinke onely *Trent* fit to celebrate the Councel, was to wrong the holy Ghoſt, which is worſhipped, and preſent in all places. Neither ought regard to bee had, that *Germany* hath need of a medicine; for, by that reaſon, there ſhould be a generall Councel held in *England*, and elſe where. That a commodious place is not ſought for thoſe, for whom the lawes are made, but for thoſe who make them, which are the Biſhops. That often times Councels haue beene made, out of the Prouinces where the hereſies haue raigned. That he knoweth why he was diſpleaſed with the anſwere giuen him; that is, that the Decrees made, and to be made, are receiued, and that the manner, vſed euer ſince the Apoſtles time, is obſerued. That he will auoid all negligence in prouiding for the Church: and if *Cæſar* will be diligent, let him keepe himſelfe within the limits, preſcribed to him by the lawes and Fathers. The functions of them both being diſtinct, will be profitable to the Church. And concerning the *Tranſlation*, whether it were lawfull or no, hee called the cauſe to him, and deputed 4. Cardinalles, *Paris*, *Burgos*, *Poole*, and *Creſcentius*, to heare it, commanding euery one, that, vntill it was added, they ſhould attempt no nouity, giuing the terme of a moneth to the Fathers of *Bolonia* and *Trent* to produce their reaſons. And he cauſed this decree to be written by the Secretary of the Conſiſtory, in the accuſtomed iudiciall forme of the Court, inhibiting the Prelats of *Bolonia* and *Trent* to innouate any thing, while the cauſe depended.

The Imperialiſts did laugh extreamely at the Popes diſtinction, of proteſting

1548
PAVL 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

sting againſt the Pope, and before him. But *Diego* made a new Proteſtation, ſaying hee had a ſpeciall mandate from the Emperour, to proteſt as he had done. The Popes inhibition being receiued in *Bolonia*, and no more aſſemblies of Biſhops, or Congregations of Diuines being made, all departed by little and little, except the Popes ſtipendaries, who could not do it with their honor. Thoſe of *Trent* moued not, according to the Emperours will, that they might keepe there ſome ſigne of the Councell, and hold the Catholikes of *Germany* in hope, and the Proteſtants in their dutie, and that their promiſe, to obey the Councel of *Trent*, might not be void, there being none at al.

Don Diego maketh a new proteſtation.

The Pope cauſed his anſwere, giuen to *Mendoza*, to come to the knowledge of the Fathers of *Trent*, and expected fifteene daies that ſome ouerture would be made, by him or them, that he ſhould be Iudge, as he had deſſeigned. But ſeeing nothing ſucceeded, he wrote a Briefe to the Cardinall *Paceco*, and to the Arch-biſhops and Biſhops of *Trent*, in manner of a citation: in which, hauing deliuered the cauſes, which mooued him to intimate the Councell, and the impediments and delayes, which happened in calling it, and the ioy he had, to ſee it begun, which was encreaſed by the happy proceeding, hoping that, in a ſhort time, prouiſion would be made againſt the euils of the Church, hee added, that he receiued as much ſorrow from the contrary encounters, ſo that, vnderſtanding the departure of his Legates, and maior part of the Biſhops from *Trent*, ſome remaining ſtill there, hee was grieued, for that it might hinder the progreſſe of the Councell, and giue ſcandall to the Church. This being as well knowen to them as to him, hee marueiled why, if the Tranſlation of the Councell ſeemed iuſt vnto them, they went not in company with the others; if vniuſt, why they made not their complaint to him. That it was a cleere caſe, whereof they could not be ignorant, that they were bound to doe the one or the other; either of which, if it had beene embraced, would haue taken away all occaſion of ſcandal. That he could not chooſe but write to thē with griefe, that they were defectuous in the one or the other, and that hee was ſooner aduiſed by the Emperour of their complaints, then by any of them, ſo much as by letter, or meſſenger: and that, for this negligence, he had more cauſe to complaine of the Cardinall, who was more obliged, by reaſon of his Cardinalitie. But becauſe that which they ſhould haue done, was preuented by *Caſar*, who hath complained by his Ambaſſadour, that the *Tranſlation* is void and vnlawfull, he doth readily offer vnto them, that which ſhould not haue beene denied, if they had made the caſe knowen, that is, to heare their complaints, and take knowledge of the cauſe. And though he ought to preſuppoſe that the Tranſlation is lawfull, yet, to doe the part of a iuſt Iudge, he willingly offereth to heare them and their reaſons, which they ſhall bring to the contrary: that herein hee would hold an eſteeme of the Spaniſh Nation, and of their perſons, not ſuffering the great preſumptions to preuaile, which ought to bee had againſt them. Therefore hauing, by aduiſe of the Cardinals, called the cauſe of the Tranſlation of the Councell vnto him, and giuen commiſſion to ſome of them to relate it in Conſiſtory, all that pretend intereſt being cited, and the Prelates of *Bolonia* and *Trent* inhibited to attempt any thing, while the cauſe dependeth, as was contained in the writing, whereof he ſent them

The Pope writeth to the Fathers in *Trent* by way of citatiou.

them a copy, desiring to conclude the cause as soone as may be, he commandeth them, that, pretending the Translation to be of no force, they send three at the least, well instructed, to assist in iudgement, and to alleadge their pretentions, and to tender their presence, as soone as may bee; concluding, that the presentation of the Briefe to the Cardinall, or to two or three of them, affixed at the Church doore of *Trent*, shall bind them all, as if it had beene personally intimated to euery one. The Pope sent also to those of *Bolonia* to intimate the same Decree, who sent immediatly to *Rome*.

1548
PAVL 3.
CHARLES 5.
EDWARD 6.
HENRY 2.
Who answere thus.

But the Cardinall *Pacceco*, and the other Spaniards in *Trent*, who were in number thirteene, hauing first sent to know the Emperours minde, answered the Popes letter the three and twentieth of March, thus in substance. That they trusted in his benignitie and wisedome, which will easily know that, in contradicting the Translation, in being silent, in remayning in that Citie, they thought of nothing lesse, then of offending his Holinesse; yea that the principall cause, why they dissented, was, because a matter of so great weight was handled, without his knowledge: wherein also they desired that so small account should not bee made of the Emperour. That it seemed cleere to them, that the Translation would not bee well expounded, nor easily approoued by his Holinesse, whom they prayed not to beleeue that the Emperour had preuented their complaint, expected by his Beatitude, because they had complained first to him, but that hee did it of his owne motion, who thought the protection of the Church belonged to him: that they should neuer haue thought that his Holinesse would haue desired to haue beene assisted by them, to whom they beleeued an absolute account was giuen by his Legates, in regard what they spake was in publike, and written by Notaries; that it seemed enough for them to deliuer their opinion, and then to bee silent. Therefore they did not beleeue their presence was necessarie in ought else. That if there bee any defect, yet their plaine meaning is cleare. That they thought it enough to dissent from the Translation, and for modestie and humilitie, not to trouble his Holinesse, whom they supposed would not bee wanting, to performe what he thought fit, for the good of the Church. That they saw not why they should depart with the Legates, who promised, in the generall Congregation, and in the publike Session, to returne to *Trent*, so soone as the suspition of the sickenesse did cease, especially if *Germanie* would submit to the Councell. That they remained there, beleeuing they would returne, especially when they vnderstood, that, by the grace of God, and vertue of the Emperour, *Germanie* did submit it selfe. And that some haue receiued scandall by their abiding in *Trent*, as his Holinesse saith, it is sufficient for them that they haue not giuen it; and, on the other side, the departure of others hath troubled many. That the successor of Saint *Peter* hath euer been very venerable to their nation; wherein themselues haue not beene defectuous. They pray his Holinesse, that they may not bee blamed for what they haue done to a good end: and doe humbly beseech him not to consent they should be put into a suite, in regard the cause is not theirs, but Gods; saying, that if it were theirs, they would be content to indure any wrong; but being Gods, and CHRISTS, as it is, it belongeth more to none then to his

Vicar.

1548
Pavl 3.
Charles 5.
Edward 6.
Henry 2.

Vicar. In fine, they prayed his Holineſſe to ſet the interrupted Councel on its feete againe, and cauſe the Legats and Fathers to returne to the ſame place, and to doe this by a Briefe, without treating of *Tranſlation.* They prayed him to take their words in good part, not ſpoken to ſignifie what the duety of his Holineſſe was, but what they hoped from him.

The replie of the Proctors of ihe Fathers of *Bolonia* to the Spaniards anſwere.

The Spaniards anſwere beeing receiued by the Pope, it was ſent to the Cardinals, to whom the cauſe was committed; by whom it was communicated to the Proctors of thoſe of *Bolonia*, that they might proceede. Theſe anſwered, that they were glad that the Spaniards do acknowledge the iudgement and the Iudge; and that they will not bee a party. Yet it was neceſſary to retort ſome things deliuered in their anſwere, to make the trueth appeare. In that they ſay his Holineſſe ſhould firſt haue been aduiſed with, it was ſuperfluous, in regard a ſpeciall Bull was then read. That the Emperour hath been neglected, it cannot bee ſaid, becauſe ſo great eſteeme hath been held of his Maieſtie, as of the Pope, the cauſe it ſelfe not comporting any delay, ſeeing it was neceſſary to diſſolue, or tranſlate the Councell, in regard of the progreſſe which the peſtilent ſickeneſſe made in the Citie, and borders, of the actuall and imminent departure of many Fathers, of the Doctors oath, eſpecially of *Fracaſtorius*, who had a publike ſtipend, and of the feare that the commerce of the neighbour Cities would bee taken away. All which appeareth in the actes tranſported to *Rome*, by his Holineſſe commandement. That the Legates, after the Decree, exhorted them to goe to *Bolonia*, and beeing arriued there, did admoniſh them by letters; ſo that they cannot ſay they ought not to follow the Legats, becauſe they conſented not to the *Tranſlation*; for the ſuffrages of all in the Councell being free, they might diſſent with a ſafe conſcience: but the maior part hauing made a Decree, it was meete the leſſer part ſhould yeelde, or elſe neuer any thing would bee determined. That the returne hath been promiſed is true, but it may bee ſeene in the Decree, in what forme the promiſe was made. If they taried, beleeuing that the others would returne, why did they not anſwere the Legats letters, who admoniſhed them to goe to *Bolonia*. But when they ſay the ſuſpicion of the Peſtilence was pretended, it is probable they ſpake it by chance; otherwiſe hauing nothing to ſay againſt the *Tranſlation*, and not ſending, according to the Popes Decree, they ſhould incurre the *Cenſures*. Neither is that diuiſiõ ought worth, if the cauſe be theirs, or of God. For as it belongeth to them, no man will doe them wrong; as vnto Christ, ſeeing the queſtion is of the fact, it is neceſſary to cleere that which is not manifeſt in the fact. Whereupon the Emperour hauing called the Legats pretended, and the Fathers of *Bolonia*, not a Councell, but a priuate aſſembly, and vttered many opprobrious termes againſt the *Tranſlation*, it was reaſonable the Pope ſhould aſſume the cauſe, not to cheriſh, but to appeaſe contentions. Whether ſcandals haue riſen by the *Tranſlation*, or by their remaining in *Trent*, may bee ſeene by this onely, that their remaining is the cauſe why the returne cannot be. And when they pray his Holineſſe to cauſe the interrupted Councell to returne, if they vnderſtand it of the vſuall Congregations, they haue neuer beene intermitted; if of the publication of the Decrees, this hath beene deferred for their ſakes: and ſo many things are

drea-

already discussed in *Bologna*, as well of faith as reformation, that a long Session may be made thereof. Therefore they pray his Holinesse to giue sentence, considering that no Counsell, but in time of schisme, hath lasted so long as this, so that the Bishops are desired by their Churches, vnto which it is fit they should bee restored. This writing was presented in the end of Aprill.

1548
PAVL 3. CHARLES 5.
EDWARD 6. HENRY 8.

After which there was no further proceeding in the cause, for that the deputed Cardinals knew not how to conclude. To pronounce the *Contumacie* lawfull, in absence of the contradictors, was to make a scisme, hauing no meanes to enforce them to receiue the sentence; and they saw lesse meanes to force them to assist in the cause. The Pope was much troubled, seeing no way to compose the difficulty, without forme of iudgement.

The Cardinals deputed in this cause, knew not how to proceed.

While these things were in question, after the death of the Duke his sonne, the Pope did continually demand the restitution of *Piacenza*, and of other places, vsurped in the *Dismit* of *Parma*, making vse of the interests of the Emperours daughter, wife to Duke *Octauius*, sonne of him that was dead. But the Emperour, purposing to ioyne that City to the Dukedome of *Milan*, and to recompence his sonne in law in some thing else, delayed the time with diuers answers and offers, hoping that the Pope, being eighty yeeres of age, and grieued for his sonnes death, and hauing many other distasts, would end all the controuersies by his death. But the Pope seeing he was deluded with delayes, molested with requests for the returne of the Counsel to *Trent*, and offended by the retraynyng of the Spaniards in the City, to make a diuersion at the least, hee let the Emperour know, that the vsurpers of *Piacenza*, a Towne belonging to the Church, had incurred the Censures, to the declaration of which he would proceed, fulminating also more of them, if, within a certaine time prefixed, it were not restored to him. The Emperour wrot backe a sharpe letter, aduising the Pope not to cherish the fugitiues of *Naples*, shewing that all the practises were knowen vnto him, and that hee did vnderstand the calumnies raysed against him, that he procured a schisme, when he demanded a Counsel in *Trent*, to vnite Christendome; and for *Piacenza*, that it was a member of the Dutchie of *Milan*, many yeeres vniustly vsurped by the Popes; and if they haue title to it, let it bee shewed, and hee will not faile to doe iustice. The Pope seeing his spirituall weapons would doe no good, without the temporall, changed his opinion, and sought to make a strong league against the Emperour: wherein he found many difficulties, not being able to perswade the Venetians to enter into it, and the Frenchmen requiring the consent of the Consistory, in regard of the Popes decrepite age, and a pawne of money; which the Pope was not willing to lay downe, in regard of the great charge he was at, fearing it would be greater, for which cause, he had laid as great burthens on his subiects as they were able to beare, and sold and pawned as much as he could, and giuen order for granting of all sorts of dispensations, and fauours, to whosoeuer would giue money, to supply the wants of the Apostolique Sea. For the Counsel, hee was most resolute not to let it bee out of his owne Territories, and besides other vrgent reasons, that of his owne and the Popedomes reputation was added, that the Emperour should not compell

The Emperor seeketh to make a peace of religion in the Diet.

Therefore a Differences betweene the Pope and Emperour, about the restitution of *Piacenza*.

His Holinesse endeauoureth to make a strong league against the Emperor, but finding difficulties in it, knoweth not what to doe.

1548 compell him. But hee knew not how to induce him and *Germany*, to giue
PAVL 3. CHARLES 5. consent. To let it vanish, sometimes seemed good vnto him, and some-
times not, and he often discoursed thereof with the Cardinals, both in Con-
EDWARD 6. HENRY 2. sistory, and priuately. But finally, hee resolued to put to hazard the deter-
mination, for which hee knew hee was insufficient, not onely for the rea-
sons before alleadged, but for other weighty respects, which passed in *Ger-*
many. For *Cæsar*, at the returne of the Cardinall of *Trent* to *Ausburg*, vnder-
standing the Popes minde, and the answere hee gaue to *Mendoza* at the ende
of December, (which caused him to giue order for the Protestation, as hath
beene said) and thinking that the Pope, by requiring the restitution of *Pia-*
cenza, sought to diuert all speech of the Councel, was assured, that, so long
as he liued, either the returne would not be, or the resolution would be pro-
tracted, and therefore thought fit, before he disarmed, to set *Germany* at peace,
in matter of religion. Hereof a proposition was made in the Diet, and or-
The Emperor resolueth to settle a peace of religion in the Diet. der taken, that choice should bee made of persons, fit for this good worke.
Those were chosen who were esteemed the best; who not agreeing, all was
referred to *Cæsar*. Hee elected three, *Iulius Flugius*, *Michael Sidonius*, and
Iohannes Islebius. These, after long consultation, composed a forme of reli-
gion, which was often examined, reuiewed, and changed, first by themselues,
Therefore a forme is composed, called the *Interim*. and then by diuers persons, vnto whom the Emperor caused it to be shewed;
and some of the principall Ministers of the Protestants were also called,
that they might approoue it. But it had so many alterations, additions, and
diminutions, that it appeared to be the worke of many men, who had con-
trary ends. Finally, it was reduced into that forme, in which it now is; and
the Legate sent a copie thereof to *Rome*, by the Emperours consent; who
was willing to vnderstand the Popes opinion, and by the counsell of the
maior part of the Prelates; who seeing the controuersies betweene the
Pope and the Emperour, feared that the Emperour would obey him no lon-
ger; a thing much abhorred by them, for the inbred, and inueterate opini-
on of the Dutchmen, to maintaine the dignity of the Pope, which is the on-
ly counterpoise of the Emperours authority, whom, without his assistance,
they were not able to resist, if, according to the vse of ancient Christian
Princes, they would keepe them within their bounds, and remooue the abu-
ses of the renowned liberty of the Clergie.

Which conteyneth 25. heads. The Booke conteyned twenty fiue heads. Of the state of man in inno-
cencie. Of the state of man after sinne. Of redemption by CHRIST.
Of iustification. Of the fruites thereof. Of the manner how it is re-
ceiued. Of charity and good workes. Of beliefe of the remission of
sinnes. Of the Church. Of the signes of the true Church. Of the au-
thority thereof. Of the Ministers of the Church. Of the Pope and Bi-
shops. Of the Sacraments. Of Baptisme. Of Confirmation. Of Pe-
nance. Of the Eucharist. Of extreame Vnction. Of Order. Of Mar-
riage. Of the Sacrifice of the Masse. Of the memory, intercession, and
inuocation of Saints. Of the Communion. Of the ceremonies, and vse
of the Sacraments. To recite here the substance of them would bee long,
Doeth not continue long tedious and vnprofitable, because the consequences which began from that
booke, lasted not long. It had the name of the *Interim*, prescribing what
to

to beleeue, vntill all was eſtabliſhed by a generall Councell.

1548

When the copie came to *Rome*, euery one was amazed, firſt in generall, that a temporall Prince, in a ſecular aſſembly, ſhould meddle with religion, and not in one Article onely, but in all. The learned called to minde the [illegible] of *Zeno*, the [illegible] of *Heraclius*, and the [illegible] of *Conſtance*, and what diuiſions theſe Imperiall conſtitutions in matter of religion made in Chriſtendome, and ſaid, that, vntill then, there were three names, vnluckie to the Church, bringing into it many diuiſions, vnder pretence of vnitie: to which might bee added this fourth, the *Interim* of *Charles* the fifth. They doubted that this beginning of the Emperour would end, where *Henry* the eight, King of *England* did arriue, to declare himſelfe Head of the Church: which would haue ſo much more compaſſe, as *Spaine*, *Italie*, *Germanie*, and other adiacent Countreys were greater then one Iſland, which, in appearance, did make ſhew to containe one catholike doctrine, but was very farre from it. Deſcending to particulars, they reprehended that, in the points of originall ſinne, iuſtification, the Sacraments, Baptiſme, and confirmation, the doctrine determined by the Councell was not ſet downe: and that collection being made to bee obſerued vntill the Councell, in regard the Councel, concerning thoſe points, was made alreadie, what elſe could bee ſaid, but that it was preciſely to bee obſerued? But to haue publiſhed another doctrine, was to annihilate the Councell, and that the Emperours cunning was more to bee ſuſpected then euer, ſeeing that hee made ſo earneſt a requeſt, that the Councell ſhould returne to *Trent*, and did at the ſame time, take away all authoritie from whatſoeuer was conſtituted by it. They condemned the whole bodie of that doctrine, for that it contained ambiguous ſpeeches, which ſuperficially conſidered, did receiue a good ſence, but, inwardly, were full of poyſon; that, in ſome parts, it did purpoſely ſtand only vpon the generall, that the Lutherans might expound it for themſelues: But in the Article of concupiſcence, it ſpake iuſt as the Lutherans did; as alſo of iuſtification, placing it in the beleefe of the promiſes, and attributing too much, yea all, to faith. In the Article of good workes, nothing was ſaide of the merit of condignitie, which is the principall point in that matter. In the Article of the Church, that it hath not deriued vnitie from the viſible Head, which is eſſentiall; and, which is worſe, hath made a Church inuiſible by charitie, and then made the ſame viſible. That it is a ſecret Artifice to deſtroy the Hierarchie, and eſtabliſh the Lutheran opinion. That to haue made notes of the Church, ſoundneſſe of doctrine, and the lawfull vſe of the Sacraments, hath giuen a way to all ſects to hold, obſtinately, themſelues to bee the Church; concealing the true marke, which is the obedience to the Pope of *Rome*. That the ſaying, that the Pope was appointed for remedie of ſchiſme, and Biſhops by the law of God, was not to be indured. That the Sacrament of Penance was made moſt Lutheran-like, in that it was ſaide, that beleeuing to receiue with this Sacrament that which CHRIST hath promiſed, it happeneth to euery one as hee beleeueth. That the principall point of Sacrifice, is concealed, that it is expiatorie, and propitiatorie, for the liuing and the dead. That hauing granted wiues to Prieſts, and the Cup in the Communion of the Laitie, euery one might ſee, that with thoſe two abuſes the whole Catholike

PAVL 3. CHARLES 5. EDVVARD 6. HENRY 2.

And is cenſured in Rome.

1548
Pavl 3.
Charles 5.
Edward 6
Henry 2.

faith was ouerthrowne. All the Court ſaid, with one voyce, that the Principall point was in queſtion; that the foundations of the Church were ſhaken; that it was neceſſarie to imploy all their forces, to excite all Princes, to ſend to the Biſhops of all nations, and, by all meanes, to reſiſt this beginning, from whence would vndoubtedly follow, not the ruine of the Church of *Rome* (for that was impoſſible) but a greater deformation, and diſhonour, then euer.

Where the Pope differeth in opinion from all others.

But the olde Pope, being moſt ſenſible, who, with the acuteneſſe of his iudgement, ſaw more then them all, did immediately penetrate to the bottome, and iudged that the enterpriſe would bee good for him, and pernicious for the Emperour. He marueiled much at the wiſedome and counſell of ſo great a Prince, that, by one victorie, hee ſhould thinke hee was made iudge of all mankinde, and preſuppoſe he was able to conteſt with both parties. That a Prince, adhering to one might oppreſſe another, but to contend with both, was too much boldneſſe and vanitie. Hee foreſaw that that doctrine would generally more diſpleaſe the Catholikes, then the Court, and the Proteſtants moſt of all, and that it would be impugned by all, and defended by none: wherein there was no neede of his paines, becauſe his enemies would worke for him, more then himſelfe could doe; and that it was better to permit the publication of it, then to hinder it; and rather being in this ſtate in which it is, then when it is reformed, that it may more eaſily fall. Onely there was neede of three things. That the Emperour ſhould not know this. That he ſhould be put vpon the buſineſſe as ſoone as might be. And that the firſt blow ſhould bee againſt the Proteſtants. To effect the firſt, it was fit to make a light oppoſition, in ſome things: for the ſecond, to ſet on foote the intereſts of the German Prelates: and for the third, to make it cunningly appeare, that this doctrine was collected, not to vnite both parties, but onely to curbe the Proteſtants; by which meanes a great point was gayned, that *is*, that a ſecular Prince did not make Articles of faith for the faithfull, but for thoſe that erred.

His inſtructions to his Legat in *Germanie*

Therefore hee ſent inſtructions to Cardinall *Sfondrato*, to make ſome oppoſition, and, when the doctrine ſhould bee publiſhed (that hee might not bee preſent) to take leaue and bee gone. The Cardinall, according to his commiſſion, declared, in the Popes name, that the permiſſion to continue the receiuing of the Cup in the holy Communion, though he that receiueth it is not to bee reprehended, (the cuſtome of receiuing the Sacrament vnder both kindes being abrogated long ſince) was a thing reſerued to the Pope; as alſo the granting of mariage to Prieſts: and the rather, becauſe, it hath neuer beene vſed in the Church: and the Greekes and Eaſterne people, who doe not binde them to a ſingle life, doe graunt that maried men may receiue orders, and keeping their wiues, may exerciſe the miniſterie, but doe not, nor euer did, permit them to marrie, who were in orders before. Hee added, that, without doubt, if his Maieſtie would graunt theſe things to bee lawfull he ſhould grieuouſly offend the Maieſtie of God: but holding them vnlawfull, hee might permit them to the heretikes, as a leſſer euill. It is tolerable, and belongeth to the wiſedome of a Prince, when all euills cannot bee remooued, to ſuffer the leaſt, that the greater may bee rooted out.

That

That his Holineſſe peruſing the booke, ſaw it was onely a permiſſion to the Lutherans; that they may not without end, paſſe from one errour to another: and that it is not granted to the Catholikes to beleeue or doe any thing, but according to the preſcript of the holy Apoſtolike Sea, which onely, as Miſtris of the faithful, may make Decrees in point of Religion. And being aſſured that this was his Maieſties purpoſe, hee told him it would be neceſſary to make an expreſſe declaration thereof, and not to giue the raines ſo much to the Lutherans, eſpecially in the power of changing ceremonies; conſidering that, in the laſt point, he ſeemeth to giue them too much liberty, where hee granteth, that the Ceremonies, which may giue cauſe of ſuperſtition, ſhould bee taken away. He added, that the Lutherans would hold it lawfull to retaine the Eccleſiaſticall goods, and iuriſdiction vſurped, if they were not commanded to make reſtitution: wherein a Councell was not to bee expected, but execution preſently made, and that, the ſpoyles being notoriouſly knowen, he neede not obſerue the nice points of Law, but proceed ſummarily, and with his Princely power. 1548 PAYL 3. CHARLES 5. EDVVARD 6. HENRIE 2.

This cenſure was imparted by *Cæſar* to the Eccleſiaſticall Electors, who did approoue it; but, particularly, for the point of reſtitution of Eccleſiaſticall goods, they affirmed it was neceſſary, without which the worſhip of God could not bee reſtored, nor Religion preſerued, nor peace well aſſured. And that becauſe the ſpoyle was manifeſt, iuſtice did require a ſhort proceeding. All the Biſhops were of the ſame opinion. The Secular Princes were ſilent for feare of offending the Emperour; and, by their example, the Ambaſſadors of the Cities ſpake but little, and of that little, little account was made. In regard of the Legats remonſtrance, the Emperour cauſed a Proheme to bee made to the booke, to this purpoſe. That, ayming at the peace of *Germanie*, hee found it was impoſsible to make it, vntill the differences of Religion were compoſed, from whence all the diſſentions and heart-burnings haue riſen; and perceiuing that a generall Councell in *Germany*, was the onely remedie herein, he had cauſed it to begin in *Trent*, and perſwaded all the States of the Empire to adhere, and ſubmit vnto it: but thinking not to leaue things in ſuſpence, and confuſion, vntill the Councell bee celebrated, a forme was preſented to him by ſome great, and zealous perſons, which, ſome learned hauing examined, by his appointment, they haue found it not abhorring from the Catholike Religion, it beeing vnderſtood in a good ſence, except two Articles, the Communion of the *Cup*, and marriage of Prieſts. Therefore hee requireth the States, who vntill then haue obſerued the Lawes of the vniuerſall Church, to perſeuere in them, and, as they haue promiſed, not to change any thing; and thoſe that haue innouated, either to returne to antiquitie, or to conforme themſelues to that confeſſion, if, in any thing, they haue exceeded it, and to bee contented with it, not teaching, writing, or preaching to the contrary, but expecting onely the declaration of the Councell. And becauſe, in the laſt point, leaue is giuen to take away ſuperſtitious Ceremonies, hee reſerueth the declaration thereof to himſelfe, and of all other difficulties that ſhould ariſe. The fifteenth of May the booke was read in the publike aſſembly. The voyces were not taken according to the vſe, but onely the Elector did riſe, and thanked the

The Eccleſiaſtical Electors approue the Popes cenſure of the Interim, eſpecially concerning reſtitution of goods vſurped by the Proteſtants.

Wherefore the Emperor maketh a proheme to the Interim.

With which the Proteſtats are diſtaſted, though they accept it for feare.

1548 Pavl 3., Charles 5. Edward 6. Henry 2.

Emperour in the name of them all; who tooke the thankes for a generall approbation and aſſent. No man ſpake then a word: but the Princes, who did long ſince follow the confeſſion of *Ausburg*, when they were by themſelues, did ſay they could not accept it: and ſome of the Cities ſpake words which ſignified the ſame, though not openly, for feare of the Emperour. The booke was printed in Latine and Dutch, by order from *Caeſar*, and afterwards tranſlated, and printed in Italian and French.

The Emperor publiſheth a reformation of the Clergy conteining 23. heads.

Beſides this, the Emperour publiſhed, the fourteenth of Iune, a reformation of the Clergie, which had been maturely digeſted and collected by learned and religious men. It conteined 23 points. Of ordination and election of Miniſters. Of the office of the Eccleſiaſticall Orders. Of the office of Deans and Canons. Of canonicall houres. Of Monaſteries. Of Schooles and Vniuerſities. Of Hoſpitals. Of the office of a Preacher. Of the adminiſtration of the Sacraments. Of the adminiſtration of Baptiſme. Of the adminiſtration of Confirmation. Of Ceremonies. Of the Maſſe. Of the adminiſtration of Penance. Of the adminiſtration of extreame Vnction. Of the adminiſtration of Matrimonie. Of Eccleſiaſticall ceremonies. Of the diſcipline of the Clergie and people. Of pluralitie of Benefices. Of the diſcipline of the people. Of Viſitations. Of Councels. Of Excommunication. In theſe points were conteined about an hundred and thirtie precepts, ſo iuſt, and full of equitie, that if one ſhould ſay, neuer any reformation before was made more exact, and leſſe partiall, without cauils and traps to enſnare the vnaduiſed, hee could not eaſily bee reproued, and if it had been made by the Prelates only, it would not haue diſpleaſed at *Rome*, except in two points, where it giueth authoritie to the Councel of *Baſil*, and in ſome other places, where it medleth with diſpenſations, and exemptions, and other things reſerued to the Pope. But beeing made by the Emperours authoritie, it ſeemed more vnſupportable then the *Interim*. For it is a fundamentall maxime of the Court of *Rome*, that the Seculars, of what degree or honeſty ſoeuer, cannot giue a Law to the Clergie, though to a good end. But, becauſe they could not chooſe, they ſupported the tyranny (for ſo they ſayd) which they were not then able to reſiſt.

Which being made by ſecular authoritie, is iudged in *Rome* more vnſupportable then the *Interim*.

The Emperor giueth order for Dioceſan Synods.

A little after the Emperour gaue order, that the Dioceſan Synods ſhould be held at Saint *Martins* day, and the Prouinciall before Lent. And becauſe the Prelates deſired that the Pope ſhould conſent, at the leaſt to thoſe points which ſeemed not to diminiſh his authoritie, the Emperour offered them, by his hand-writing, dated the eighteenth of Iuly, to vſe all diligence to perſwade his Holineſſe not to bee wanting in his duetie. This reformation was printed in many Catholike places of *Germany*, and alſo in *Milan*, the ſame yeere, by *Innocentius Ciconiaria*.

Concludeth the Diet.

The Diet of *Ausburg* ended the laſt of Iune, and the Receſſe was publiſhed; in which the Emperour promiſed that the Councell ſhould bee continued in *Trent*, and that hee would take order that it ſhould bee reaſſumed quickly; in which caſe he commanded all the Eccleſiaſtiques to be preſent, and thoſe of the Auguſtan confeſſion to go thither with his ſafe conduct, where all ſhould bee handled according to the word of God, and doctrine of the Fathers, and themſelues ſhould bee heard.

And promiſeth the reſumption of the Councel in *Trent*.

The

The Cardinall of *Ausburg*, and other Prelates, iealous that with theſe beginnings of confeſſions and reformations, made and publiſhed in Diets, the Popes authority would bee thruſt out of *Germany*, prayed the Emperour to inuite the Pope, to ſend an expreſſe Legate, to aſſiſt in the execution of the Decrees; alleadging that it would bee a meanes to facilitate the buſineſſe very much, becauſe many who ſtill reſpect the Pope, will labour more willingly, when they ſee his authority is in it. The Emperour beeing perſwaded that, when the ſtirres of religion were pacified, *Germany* would remaine vnder his obedience, did embrace euery propoſition of facility, thinking the concluſion ſhould be as pleaſed him. He cauſed an account to bee giuen to the Pope, of whatſoeuer was done for reformation, and inuited him to ſend one or two Legates. His Holineſſe ſent immediatly the Biſhop of *Fano* for his *Nuncio*, a Prelate acceptable to the Emperour, with pretence to vnderſtand better his Maieſties will concerning his requeſt, and to propoſe the reſtitution of *Piacenza*, and to remooue the Spaniards from *Trent*. But hauing receiued the firſt anſwere from *Fano*, and conſulted with the Cardinals, hee ſoone reſolued that it was not honourable for him to ſend a Miniſter, to execute the Emperours Decrees. Yet, for the reaſon which mooued the Cardinall of *Ausburg*, he tooke a middle way, to ſend *Nuncij*, not for that end, which the Emperour deſeigned, but to grant abſolutions and graces, thinking it would doe miracles, for maintenance of his authority, without preiudice of conſenting that another ſhould aſſume the power, which he pretendeth to belong onely to himſelfe.

1548.
Pavl 3.
Charles 5.
Edvvard 6.
Henrie 2.

The Pope ſendeth the Biſhop of *Fano* for his *Nuncio* into *Germany*.

Therefore after *Fano*, he ſent the Biſhops of *Verona*, and *Ferentino*, for his *Nuncij* into *Germany*, to whom, by aduice of the Cardinals, hee directed a Bul, dated the laſt of Auguſt, giuing them commiſſion, to declare to all that will returne to the Catholique truth, that hee is ready to imbrace them, and will not be hard in pardoning them, ſo that they will not giue, but receiue lawes, referring to the conſcience of his *Nuncij*, to remit ſomething of the old diſcipline, if they thinke it may bee done without publique ſcandall, giuing them *Faculty* to abſolue fully, in both Courts, all Secular perſons, though Kings and Princes, Eccleſiaſticall, and Regular, Colledges, and Communities, from all excommunications, and other cenſures, and euen from temporall puniſhments, incurred for matter of hereſie, though they bee relapſed; and to diſpence with irregularities, in what caſe ſoeuer, euen for *bigamie*, and to reſtore them to fame, honour, and dignity, with authority alſo to moderate or wholy remit, euery abiuration and penance due, and to free communities, and particular perſons, from vnlawfull bargaines, and conuentions, contracted with thoſe that doe erre, abſoluing them from oathes, and homages made, and periuries committed vntill that time, for any former obſeruances, and to abſolue alſo the Regulars from Apoſtacie, giuing them power to weare the regular habite, vnder the habite of a ſecular Prieſt, and to giue leaue to euery perſon, though Eccleſiaſticall, to eate fleſh, and forbidden meates, in Lent, and on faſting dayes, by the counſell of the corporall Phyſition, or ſpirituall onely, or without any, if it ſeeme good to them, and to moderate the number of feaſtes, and for thoſe who haue receiued the communion of the *Chalice*, if they will humbly demand it, and confeſſe that

And afterwards two Biſhops more to whom hee giueth ample *Facultie*s by his Bul.

1548 Paul 3. Charles 5. Edvvard 6 Henry 2.

the Church doth not erre in denying it to the Laitie, to graunt it vnto them for life, or for ſo long as they ſhall thinke fit, ſo that it bee done neither in the ſame time, nor place, with that which is done by decree of the Church. He granted them power alſo, to vnite Eccleſiaſticall Benefices to Studies, ſchooles, or hoſpitals; and to abſolue the vſurpers of Eccleſiaſticall mooueable goods, after the reſtitution of the immooueables, compounding alſo for the fruites vſurped, and mooueables conſumed, with authority to communicate theſe *Faculties*, to other perſons of note.

Which is cenſured in Germany.

This Bul paſſed in all places, beeing printed vpon the occaſion which ſhall bee related, and afforded matter of diſcourſe. Firſt for the proheme; where the Pope ſaid, that, in the troubles of the Church, hee was comforted by the remedy left by CHRIST, that the corne of the Church, winnowed by Satan, ſhould bee preſerued by the faith of *Peter*, eſpecially after hee had applied the remedy of the generall Councel; as if the Church had no foundation but vpon him, and ſixty perſons of *Trent*. Then they thought it a great preſumption to reſtore Kings and Princes to honours, fame, and dignity. There was alſo obſerued a contradiction, to abſolue from vnlawfull oathes, which need no abſolution, and from true oaths no man can abſolue. And it was thought another contradiction, to grant the *Chalice* only to him, who beleeueth the Church doth not erre, in forbidding it to the Laity. For how is it poſſible to beleeue ſo, and to deſire not to be comprehended in the prohibition? But they could not forbeare laughing, when they read the condition, to abſolue the Friars who forſooke their cloyſters, to weare the habite couered, as if the kingdome of GOD did conſiſt in a coulour, or veſtment, which beeing not worne in ſhew, yet it was neceſſary to haue it in ſecret. But though the *Nuncij* were ſoone deputed, yet their diſpatch was deferred vntill the next yeere, becauſe the Emperour was not pleaſed with the manner of it, in which no mention was made to aſſiſt, or authorize, the prouiſions made by him; neither would the Pope euer bee perſwaded that any miniſter of his ſhould be preſent.

Why the diſpatch of the two *Nuncij* was deferred.

The Emperours *Interim* doth pleaſe neither the Proteſtants nor the Catholiques.

The Emperour beeing parted from *Ausburg*, vſed all diligence, that the *Interim* might bee receiued, by the Proteſtant Cities; but found reſiſtance and difficulty euery where, becauſe they did deteſt it more then the Catholiques. They ſaide it was a totall eſtabliſhment of the Papacie. Aboue all, they found fault with the doctrine of Iuſtification, and that the comunion of the *Cup*, and marriage of Prieſts was queſtioned. *Iohn Fredericke* Duke of *Saxony*, though priſoner, ſaide freely, that GOD and his conſcience, vnto which he was bound aboue all, did not permit him to receiue it. Where it was admitted, diuers accidents, varieties, and confuſions did ſucceed, ſo that it was brought into ſome places diuerſly, with ſo many limitations, and conditions, that one may ſay, it was rather reiected by all, then accepted by any. Neither did the Catholiques care to helpe forward the buſineſſe, becauſe they did not approoue it themſelues. That which did hinder the Emperor moſt, was the modeſt liberty of a little weake Citie, which deſired him, that, being lord of their goods and life, hee would ſuffer that their conſcience might belong to GOD: that if the doctrine propoſed to them, were receiued by himſelfe, they ſhould haue a great example to follow. But if his Maieſtie would

compell

compell them to accept of, and beleeue that which himselfe thought not true, they knew not how it could be done. In September the Emperor went into *low Germany*, where he found greater difficulties. For the Cities of *Saxonie* vsed many excuses, and *Magdeburg* did oppose with a kinde of scorne. Wherefore it was *bandited* by the Emperour, and sustayned a long war, that maintayned the fire aliue in *Germany*, which burned his trophees; as in its place shall bee saide. By reason of this confusion, and to giue order that the Flemings should sweare allegeance to his sonne, the Emperour, quitting *Germany*, went into *Flanders*; and though hee seuerely forbad, that the doctrine of the *Interim* should bee impugned by any; or written, taught, or preached against, yet many Protestants did write against it. And the Pope, thinking it fit for his affaires to do it, gaue order to *Franciscus Romeus*, Generall of the Dominicans, that, assembling the most learned men of his order, by their opinion and paines, hee should make a strong, and sound confutation. Many in *France* wrote against it also: and in a short time there was, as it were a whole squadron of Writers against it, Catholiques, and Protestants, especially of the Hanse townes. And that did follow which doth ordinarily happen to him that will reconcile contrary opinions, that he maketh them both agree to impugne his, and euery one more obstinate in defending his owne. There was also some cause of diuision among the Protestants. For those who had in part yeelded to *Cæsar* against their wils, and restored the old ceremonies, excused themselues, and said, that the things done by them were indifferent, and by consequence, that it did not concerne their saluation to reproue or receiue them, and that it was lawful, yea, necessary, to tollerate some seruitude, when no impiety was ioyned with it; and therefore that, in these, the Emperour was to be obeyed. Others, whom necessity had not compelled, said it was true that indifferent things concerne not saluation: yet, by meanes of them, pernicious things are brought in; and, going on, they framed a generall conclusion, that Ceremonies and Rites, though by nature indifferent, doe become then bad, when he that vseth them hath an opinion that they are good, or necessary. And hence arose two Sects, and afterwards more differences amongst them, which were neuer well reconciled.

1548

Pavl 3. Charles 5. Edvyard 6. Henry 2.

And is written against by both.

A diuision among the Protestants.

Which was neuer well reconciled.

And in *England* there were no lesse tumults for Religion. For *Edward* Earle of Oxeford, Vncle by the mother, of *Edward* the young King, hauing gained authority with his nephew, and the Grandies of the Kingdome, together with *Thomas Cranmer*, Archbishop of Canterbury did fauour the Protestants, and brought in some of their owne Doctors: and hauing laid some foundation of doctrine, especially amongst the Nobility, they assembled the States of the Kingdome, which they call a *Parliament*, and by publique decree of the King, and of that, banished the Masse: For which, a little after, a popular sedition being made, by those who required the restitution of the Edicts of *Henry* 8. in fauour of the old Religion, a most grieuous confusion and dissention did arise in the Kingdome

Troubles in *England* about Religion.

Saint *Martins* day being come, though the confusions of *Germany* were great, the *Diocesan* Councels were held in many Cities, and the new reformation of the Emperour was receaued, changing the forme onely, as it seemed to agree best to the manner of decreeing in euery Diocesse; yet without

prouision

1549
Pavl 3.
Charles 5.
Edvvard 6.
Henry 2.

1549. The Diocesan Councels are held, and the Emperours reformation is receiued. The Prouinciall Councel of *Collen*.

prouiſion made for the execution: and all ſeemed to be well done meerely for ſhew. Before Lent no Prouinciall Synod was held according to the Imperiall Decree. In the beginning whereof the Elector of *Collen* began his: and ſhewing the neceſſity to amend the Clergie, added that all hope was in the Councell of *Trent*, which was begun with ſome happy ſucceſſe: which hope being quite loſt, by the vnexpected delay, cauſed by the diſcords of the Fathers in tranſlating it, the Emperour, not to faile in his duty, hauing conquered the rebels, did reſtore the Catholique Doctrine and Ceremonies, referred to the Councell onely the determination of two articles, and ordained the reformation of the Cleargie; for execution whereof, the Synod had, againſt *Paſſion Sunday*, eſtabliſhed a forme, agreeable to their mother Citie. Then he added the Decrees, in which no matter of faith was handled, but onely the meanes to reforme the diſcipline, to the number of ſixe. The reſtauration of ſtudies. The examination of thoſe who are to receiue orders. The office of euery Order. Viſitation. Synods. reſtitution of Eccleſiaſticall iuriſdiction: with many decrees in euery point; vpō each of which a long diſcourſe being made, with many precepts, a thing fit for a ſpeculatiue Treatiſe, in concluſion 38. points were added, for reſtitution of ancient Eccleſiaſticall Ceremonies, and vſes. The *Low Countries*, the Emperours inheritance, are ſubiect to *Collen*, as the Metropolitan City: wherevpon the Emperour taking notice of that Councell, and cauſing it to be examined by his Counſellours, and Diuines, approued it by his Letters, dated the fourth of *Iuly*, and commanded it ſhould be receiued, and obſerued, in all his Countries, charging the Magiſtrates to ſee the execution of it, if they were required.

The Decrees whereof the Emperour would haue obſerued in the *Low Countries*, as being ſubiect to that Sea.

Sebaſtian Elector of *Mentz*, obſerued not the ſame ſtile; who, the third weeke after Eaſter, in the Councell of his Prouince, made 48. Decrees in doctrine of faith, and 56. in matter of reformation. In the points decided by the Councell of Trent he followed the ſame doctrine; in others, the more common opinion of the Schoole men, abſtaining from places controuerſed among them. Amongſt theſe the 41. and 42. points are remarkeable; where he teacheth, and repeateth againe, that Images are not propoſed to be adored, or to haue Diuine worſhip done vnto them, but onely to call that to our memorie which is to be worſhipped: and if, in any place, a popular concourſe be made to any image, and it appeare that ſome Diuinity is attributed to it, it ought to be taken away, and another put in the place, differing from it in quantitie, that the people may not be perſwaded to beleeue, that God and the Saints are induced to doe that which is demaunded of them, by meanes of the image, and not otherwiſe. And the 45. is as well worthy to be obſerued: where he ſaith that the Saints are to be honoured, but with the worſhip of ſociety, and loue, as alſo godly men may be honoured in this life, but onely that the bleſſed Saints are to be honoured with more deuotion, becauſe their ſtate is more ſecure. Which explications, being well conſidered, doe ſhew how much the opinions of the Catholique Prelats of *Germany* doe differ from thoſe of the Court of *Rome*, and from the practiſe brought in after the Councell of *Trent*. And euery one, taking example by this Councell, which hath decreed ſo many Articles of Religion, may aſſure himſelfe how true that is which the Popes haue cauſed to be ſpoken ſo often in *Germanie*,

The Prouinciall Councel of *Mentz*.

In which two points are remarkeable.

that

that Religion cannot be handled in a Nationall Councell. And though one may ground himselfe more vpon diuers Prouinciall Councels of *Africa*, *Egypt*, of *Syria*, and other parts of the East, yet this, being moderne, though not of such consequence, will perhaps more prouoke the Reader to marke it. The Electour of *Triers* did celebrate also his Synode: and other Metropolitans, not departing from the Communion of the Pope, did all publish the Imperiall Edicts of *Ausburg*, as well for the *Interim* of Religion, as for the Ecclesiasticall reformation.

1549
PAVL 3. CHARLES 5.
EDVVARD 6. HENRY 2.

Other prouincial Councels are held.

The *Nuncij*, destinated by the Pope the yeere before, and deferred, for the causes aforesaid, began their iourney for *Germanie*; who, in euery place where they passed, were despised, euen by the Catholikes themselues: so odious was the Popes name, and the very habit of his Ministers, in regard of his differences with the Emperour, and of the courses hee tooke. And finally, in the end of May, they went to *Cæsar* into the low Countreys, where, after long discussion how to execute the Popes commandements, there being difficultie in euery proposition for one part or other, in fine the Emperour resolued, that, hauing facultie from the Pope to substitute, they should substitute the Bishops, euery one in his owne Dioceese, referring all to their consciences. This match was not readily made by the *Nuncij*; yet condescending at the last, a substitution was printed, in the name of the three *Nuncij*, leauing a place for the name of the Prelate, vnto whom it was to bee directed; and inserting first the tenor of the Popes Bull, and, alleadging for cause of the substitution, their not being able to bee in euery place, they did communicate their authorite, with aduice, not to grant the Communion of the Cup, and vse of eating flesh, but with great maturitie and euident profit, prohibiting that ought should be paide for those Graces. *Cæsar* vndertooke to send them to whom, and where it was fit; and to what place soeuer he addressed them, hee gaue them to vnderstand, that the proceeding should be with gentleneese, and dexteritie. There was very little vse of these faculties; for those that continued in the Popes obedience, had no neede of them, and those who were aliened, did not onely not care for them, but refused them also. A few dayes after, *Ferentino* departed, *Fano*, and *Verona* remained with *Cæsar*, vntill the Arch-bishop of *Siponto* was sent by *Iulius* the third, as shall bee said in its place.

The *Nuncij* goe into *Germanie*, and are despised in all places.

Their Facultie did but little good.

At the same time the French King, making his first entry into *Paris*, the fourth of Iulie, caused a solemne procession to bee made, and published an Edict, rendring a reason thereof, that hee did it to signifie vnto all, that hee receiued the protection of the Catholike religion, and of the Apostolike Sea, and the care of the Ecclesiasticall order: and that hee abhorred the nouitie of religion, and testified to all his will to perseuere in the doctrine of the Church of *Rome*, and to banish the new heretikes out of all his Dominions; and hee caused this Edict to be printed in French, and sent it into all parts of his kingdome. Hee gaue leaue also to his Prelates to make a prouinciall assembly to reforme the Churches; which being knowne at *Rome* was thought to bee a bad example, and might bee a beginning to make the French Church independant of the Church of *Rome*. Hee caused also many Lutherans to bee put to death in *Paris*, himselfe being present at the spectacle: and in the beginning

The French King maketh his first entry into *Paris*, and publisheth an Edict in fauour of the Roman religion.

And vseth much seueritie against the Lutherans.

1549 ginning of the next yeere he renewed the Edict against them, laying grie-
PAVL 3. CHARLES 5. uous punishments vpon the Iudges, who were not diligent in detecting and punishing them.

EDWARD 6. HENRY 2. But the Councell in *Bolonia* hauing slept two yeeres, the seuenth of No-
The Pope sieth with passion. uember, the Pope, seeing a letter of Duke *Octauius*, his nephew, that hee would make an agreement with *Ferrandus Gonzaga*, to enter into *Parma*, which Citie the Pope caused to bee held in the name of the Apostolike Sea, hee was so assaulted with perturbation of minde and anger, that hee swouned, and, after some fewe houres, comming to himselfe, hee fell into a Fe-
The election of the new Pope. uer, whereof hee died within three dayes. This made *Monte* part from *Bolonia*, to bee at the election of the new Pope, and all the other Prelats to retire to their houses. The custome is, that the Cardinals doe solemnize the *Obsequies* of the defunct Pope nine dayes, and enter into the Conclaue the tenth. Then, by reason of the absence of many, they entred not vntill the 28. of the moneth. The Cardinall *Pacceco* left not *Trent* vntill the Emperour, vnderstanding of the Popes death, gaue him order to goe to *Rome*, where hee arriued many dayes after the Conclaue was shut vp. The Cardinals being assembled to create the Pope, and making capitulations, according to the custome, which euery one sweareth to obserue, in case hee shall be elected, the first was to prosecute the Councell. Euery one thought the new Pope would haue been elected before *Christmas*. For the holy gate, for the *Iubile* of the next yeere 1550. being to bee opened on the Eue of the Feast, at which the Popes presence was necessary, and there beeing that yeere a great concourse of people to that deuotion, euery one beleeued that this would moue the Cardinals to proceed quickly to the election. These were diuided into three factions; Imperialists, French, and dependants on the dead Pope, and by consequence, on his nephewes. The Imperialists would haue created Car-
Card. *Poole* was named to be Pope. dinall *Poole*, and the French, *Saluiati*: But neither of these parties was able to make the election of it selfe, nor to agree, in regard of the contrary ends of their Princes. The Dependants of the *Farneses* were able to conclude the election, (to which part soeuer they adhered: and they were contented to choose Cardinall *Poole*, for the goodnesse of his disposition, and his continuall obseruance of the Pope and the Cardinall *Farnese*. But Cardinall *Theatino* opposing him, and saying he was blemished with Lutheranisme, made
But not elected for suspicion of Lutheranisme. many retire. *Farnese* did not adhere to *Saluiati*, & was resolued not to consent, but vpon some creature of his vncle. The interests of the factious were so great, that the respect of the holy yeere, and the expectation of so much people, who were assembled all that day vntill night, could not preuaile.

Card *Monte* is created Pope. At the last, the partie of *Farnese*, assisted by the French-men, did ouercome, and *Iohn Maria de Monte*, Legate of the Councell in *Trent* and *Bolonia*, was created, vpon whom *Farnese* did concurre, thinking him a faithfull seruant to him, and his grandfather, and the Frenchmen, thinking hee would fauour their King, and crosse the Emperour, in regard of the *Translation* of the Councell to *Bolonia*. Neither were the Imperialists against him, because *Cosmo*, Duke of *Florence*, made them beleeue that hee fauoured the French no more then his thankefulnesse to the Pope had constrained him, whose interests hee thought hee was bound to maintaine; so that this cause beeing

remoued

remooued, hee would carry himselfe vprightly. Many did loue in him his naturall liberty, free from hypocrisie and dissimulation, and open to all. Immediately after the election, in conformity to that which was capitulated, he did sweare to prosecute the Councel. He was elected the eight of February, and crowned the 23. and the 25. he opened the holy gate. 1550 Iulius 3. Charles 5. Edward 6. Henry 2.

The Emperour, perceiuing that the affaires of religion in *Germany*, did not goe as he would haue them, hoping to remooue the difficultie by his presence, did intimate a Diet for that yeere in *Ausburg*, and sent *Lewis d' Auila* to congratulate with the Pope for his assumption, and to desire him to set the Councel on foote againe. The Pope answering with as much courtesie, made great offers of his good will. For the Councel, his answere was in generall tearmes onely, being not as yet resolued in himselfe: and spake hereof with the same irresolution to the Cardinall of *Guise*, who was to returne into *France*; but affirmed that hee would not doe it, before hee had communicated euery thing to the French King. And to Cardinall *Pacceco*, and other Imperialists, who often spake thereof with him, he said, he would easily accord with the Emperour in this particular, so that the proceeding were sincere, to confound heretiques, to fauour the Emperours deseignes, and not to disfauour the Apostolique Sea: whereof hee had many considerations, which, in fit time, hee would make knowen to his Maiesty. Hee presently gaue a taste what his gouernement would bee, spending whole dayes in gardens, plotting out delicious buildings, and shewing himselfe more inclined to pleasure then businesse; especially when any difficulty was annexed. The Emperours Ambassador, *Don Diego*, hauing curiously obserued these things, wrote to the Emperour, that all the negotiations of his Maiesty with the Pope, would easily succeed; for that, being carried away with delights, one might make him doe what he would, by making him afraid. And the opinion was more confirmed, that he would be more addicted to his priuate affection, then to the publique good, by the promotion of a Cardinall, which he made the last of May, to whom hee gaue the Cap, according to the custome.

1550

The Emperor sendeth an Ambassador to the Pope to congratulate, and to desire a restitution of the Councel.

The new Pope is more inclined to pleasure then businesse.

Iohn Maria di Monte, when he was Bishop of *Siponto*, beeing gouernour of *Bolonia*, receiued into his house a boy of *Piacenza*, of vnknowen parents, and loued him as if hee had beene his owne sonne. It is recorded, that, beeing sicke in *Trent*, of a great and long sickneſſe, whereof the Physitions thought he would die, hee sent him, by their counsell, to *Verona*, to change the Aire; where hauing recouered his health, and returning to *Trent*, the day of his arriuall, the Legate went out of the City for recreation, accompanied with many Prelates, and met him neere the gate, shewing many signes of ioy. This gaue matter of discourse, whether it were by chance, or whether the Cardinall, going forth vnder another coulour, had a secret purpose to meete him. Hee was wont to say, that hee loued and fauoured him, as authour of his owne fortune, because the Astrologers had foretold, hee should haue great dignity and riches, which hee could not haue, if hee did not ascend to the Papacie. So soone as he was created Pope, his will was, that *Innocentius* (for so the yong man was called) should bee adopted the sonne of *Baldwin di Monte*, his brother, by which adoption, hee was called *Innocentius di Monte*.

Hee createth a strange Cardinall.

Hauing

1550
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

Hauing giuen him many benefices, on the day aforesaid, hee created him Cardinall, giuing subiect of discourse, and Pasquins, to the Courtiers, who did striue to shew the true cause of such an vnusuall action, by coniectures of diuers accidents past.

The Emperor establisheth the inquisition in the low Countries.

Charles, before he parted out of the Low Countries, established the Inquisition there: whereat the Dutch and English Merchants, of whom there were many in those parts, being much mooued, had recourse to Queene *Marie*, and the Magistrates, desiring a mitigation of the Edict, or, otherwise, protesting they would depart. Those who were to execute the edict, and institute the Inquisition, found difficultie euery where; so that the Queene was enforced to goe to *Cæsar*, who was in *Ausburg*, to celebrate the Diet, to perswade him that the populous Countrey might not be made desolate, and some notable sedition arise. *Cæsar* yeelded very hardly; yet, in the end, he was content to take away the name of Inquisition, and to reuoke whatsoeuer in the Edict did concerne strangers, all standing firme which belonged to the Naturals of the place. The Emperour dealt with the Pope by his letters and Ambassadour, to reassume the Councell of *Trent*, desiring a precise answere, not such as he gaue to *D'Auila*, nor with such ambiguitie as he vsed to treat with Cardinall *Pacceco*, but that he would let him know the Capitulations which hee required, that hee might resolue whether that medicine would cure the maladies of *Germany*, or should thinke of other remedies, it being impossible to continue longer in that State.

And reuoketh it as farre as concerneth strangers.

The Emperor requireth frō the Pope a precise answer concerning the Councell.

And the Pope doth seriously deliberate what answer to make.

The Pope, considering with his inward friends that this was the most important deliberation which could happen in all his Papacie, did ballance the reasons which might perswade or dissuade it. First he considered, that, remitting the Councell to *Trent*, he condemned the *Translation* to *Bolonia*, which was principally his deed, and so should plainely confesse he had done amisse, either willingly, or at the instance of another. And if there had beene nothing but the *Translation* it had not beene a matter of so great waight. But hauing made himselfe a party to defend it, and so earnestly, he could not excuse himselfe of malice, if he did so easily retract it. And, which imported most, he should put himselfe into all those dangers, from which *Paul*, a most wise Prince, thought fit to secure himselfe, & perseuered in that opinion vntil his death: and that it was a manifest error to reenter into them. And though many were not ill affected to him, being a new Pope, yet it is certaine that the maior part do not pretend to be grieued at the Pope, but at the Popedome: and, for this particular, no man can bee sure, that some thing may not happen in the progresse, which may raise him greater hatred, though without his fault. Besides, all men are not mooued with hatred, but those that hurt most, desire to aduantage themselues by depressing others. Therefore it may be concluded that the same reasons, which mooued *Paul*, would constrain *Iulius* also to the same resolution. He considered the great troubles that *Paul* sustained 26. moneths, for this cause, and the indignities which he did necessarily suffer, and the diminution of the Papall authoritie, not onely in *Germany*, but in *Italy* also. And if this did derogate from *Paul*, confirmed so many yeeres in the Papacie, and esteemed by all, it would do it from him much more, being a new Pope, not hauing as yet made intelligences, and

adherences,

adherences, neceſſarie for the enterpriſe of conteſting, and if a proteſtation ſhould bee laide on his backe, or a Decree, as the *Interim*, his authoritie would bee ſcorned by all. Hee was not to reckon of his paines in tranſlating the Councell, and his conſtancie in defending it, becauſe with the change of fortune, whatſoeuer dependeth on it is changed, and the actions of *Iohn Maria di Monte*, doe not appertaine to Pope *Iulius*, and thoſe things which gaue reputation vnto that man, doe not giue it vnto this. Then it was fit to doe as hee did, to ſhew himſelfe a faithfull ſeruant of his Lord; but now, being Lord himſelfe, the reſpect of conſtancie in ſeruing well doth quite ceaſe, and another doeth ſucceede, which requireth wiſedome, in applying himſelfe to the times. Hee conſidered how popular the Emperours requeſt was, in regard the reducing of *Germanie* was in queſtion, and how ſcandalous it would bee not to hearken vnto it. The cauſes which mooued to make the Councel were plaine and manifeſt to all; thoſe which diſſwaded were ſecret, & knowne to few. Finally the Oath made, & iterated, ought to be regarded; which though it did binde to proſecute the Councell, without preſcribing the place, yet it was certaine, that, without the Emperours conſent, being King of *Spaine*, and *Naples*, Prince of the low Countries, and hauing other adherences in *Italie*, it was impoſſible to make a generall Councell; ſo that, to refuſe to bring it backe to *Trent*, and not to proſecute it, was all one. Hee inclined to this part moſt, as moſt agreeable to his diſpoſition, deſirous rather to flye preſent incommodities, then auoide future dangers. For chooſing to celebrate the Councell, hee was deliuered from the trouble which the Emperour would giue him; and for the dangers which it brought, hee began to eſteeme them leſſe. Hee thought the Emperours fortune was not then the ſame as it was two yeeres before. For at that time the expectation of the victorie, which he after obtained, gaue him reputation; which now ſeemeth rather to be burdenſome to him, then any eaſe. Hee holdeth two Princes priſoners, as wolues by the eares. The Cities of *Germanie* doe openly incline to rebellion. The Eccleſiaſtikes haue a ſacietie of that domination. There are alſo domeſticall croſſes, in regard of his ſonne, brother, and nephew, who aſpire to the Empire; a buſineſſe, which perhaps may giue him trouble, beyond his forces. In fine, hee concluded, according to his diſpoſition, Let vs get out of the preſent difficultie, with hope that our good fortune will not abandon vs.

1550
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

And concealing his reſolution, hee deputed a Congregation of Cardinals, and other Prelats, for the moſt part Imperialiſts, that they might fall vpon the reſolution which he had taken, mingling ſome few of his truſtie friends amongſt them, to gouerne the buſineſſe according to his purpoſe. To theſe hee propoſed the Emperours requeſt; giuing order that without all reſpect, euery one ſhould ſpeake what he thought conuenient for the ſeruice of God, and the Apoſtolike Sea. And in caſe they thought fit to condeſcend, they ſhould thinke how to doe it with honour, ſecuritie, and fruit. The Congregation, hauing often conſulted, related to the Pope, that they were of opinion the Councell ſhould be proſecuted, becauſe ſuch an Oath was taken in the Conclaue, and by his Holineſſe, after his aſſumption, and to take away ſcandall from the world, which without doubt would be very great, in caſe it

He cõcealeth his reſolution vntil it is confirmed by a congregation of Cardinals and Prelates.

1550
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

were not done. And it might be prosecuted two wayes; one by continuing it in *Bolonia*, another by remitting it to *Trent*. It could not bee continued in *Bolonia*, becauſe *Paul* had called to him the cauſe of the Tranſlation, and inhibited to proceede any further. If his Holineſſe did not firſt giue ſentence that the Tranſlation was good, it was not lawfull to goe on in that Citie: and if hee did, hee would giue a lawfull pretence to be ſuſpected, it being knowne that the Tranſlation was made by him, as being the prime Legate, and Preſident. Therefore onely the other way remained, to remit it to *Trent*; and all occaſion was ſo taken away from *Germanie*, to ſpurne againſt it, and the Emperour was ſatisfied, which was a very eſſentiall point. This aduice, being brought to the Pope, was approued by him: and ſo they paſſed to that which remained.

The difficulties of remitting the councel to *Trent* are debated

And firſt it was concluded, that the conſent and aſſiſtance of the French King was neceſſarie, and the preſence of the Prelates of his kingdome, otherwiſe the reputation of the Councell would bee very weake, and they ſhould be in danger to looſe *France*, only to indeuour to regaine *Germanie*, which is loſt: which were, according to the fable, to let the bodie fall, to get the ſhadow. It ſeemed hard to perſwade that King, and to take from him all ſuſpition, if the Councel were celebrated in a place ſubiect vnto the Emperor, & neere vnto his armie. But examining what thoſe ſuſpicions might be, they could finde none, but that the Councell might determine ſomething, in preiudice of the gouernement of that Kingdome, or againſt the priuiledges of that crowne, or againſt the libertie of the French Church: in which, if hee were ſecure, it could not be doubted but that, for the hereditarie obligation to protect and fauour the Apoſtolike Sea, he would aſſiſt, and ſend his Prelates. The ſecond difficultie was, that the Italian Prelates, being poore, could not beare the charge of that place, and the Apoſtolike Chamber, being exhauſted, could ill ſupply as much as was needefull, beſides the charge of maintaining the Legats, and Officers of the Councell, and other extraordinaries. Whereof thinking often, they could find no way to hold the Councell without expence, and that it was neceſſarie to drinke of this Cup: but ſuperfluities might well bee cut off, by diſpatching the Councell quickely, and not tarying there longer then was neceſſarie. The third difficultie was, that the Proteſtants would call into queſtion the things determined; wherein all the Congregation reſolued readily, that they ſhould make their meaning plaine, that they ought to be eſteemed as infallible, and not ſuffer them to be diſputed on: and to declare this before the Councell, not deferring to make themſelues vnderſtood vntill then.

Of which the greateſt is the danger of the Popes authoritie.

The fourth and moſt important difficultie of all, was the authoritie of the Apoſtolike Sea, as well in the Councell, as out of it, and ouer it; which not the Proteſtants onely doe impugne, but many Princes alſo would reſtraine, and many Biſhops did thinke to moderate. This was the chiefe cauſe why the former Popes would not bee perſwaded to call a Councell; and *Paul*, who was brought to it, did perceiue it in the ende, and prouided againſt it, by the Tranſlation. This danger was ſeene by all; but none could ſet downe a way to eſcape it, but by ſaying, that God who had founded the Roman Church, and placed it aboue others, would diſſipate all Councell

taken

taken against it. This, some beleeuing for simplicitie, some for their interest, some because they knew not what else to say, seemed not sufficient. 1550 IVLIVS 3. CHARLES 5. EDWARD 6. HENRY 8.

But Cardinall *Crescentius*, grounding himselfe much vpon this confidence, sayd, that there was no humane action in which there was not some danger; that the warre did shew as much, which is the chiefest, which is neuer enterprised, though with neuer so much assurance of victorie, but there is danger of losse and totall destruction; neither is there any businesse vndertaken, with so much certainety of a good issue, which may not suddenly fall into great inconueniences, for vnknowen, or lightly esteemed, causes. But hee that is forced, for auoiding other euils, to yeelde to some resolution, must not care for it. Things are in such a state, that, if the Councell bee not held, there is more danger that the world, and the Princes, beeing scandalized, will aliene themselues from the Pope, and doe more *de facto*, then, in the Councell, by disputations and Decrees. Danger is to hee incurred either way, and it is best to take the most honourable, and lest dangerous part. But many prouisions may be made to diuert it; as to keepe the Fathers of the Councell busied, as much as may bee, in other matters, and so to hold them in exercise, that they may not haue time to thinke of this; to keepe many in amitie, especially the Italians, with perswasions and hopes, and by other meanes vsed heretofore; to hold the Princes counterpoised, nourishing some differences of interests betweene them, that they may not ioyntly vndertake such an enterprise; and, if one doe it alone, the others will oppose it: and a wise man will finde other remedies in the very fact, by which hee will bee able to carie matters along, and make them vanish. This opinion was approoued, and a resolution taken, that no demonstration of feare should bee made, but onely that it should bee intimated to the Emperour, that this foreseene, but that no man careth for it, because there is a remedie prepared.

The feare whereof Cardinall *Crescentius* remoueth.

This consultation beeing maturely made, and a resolution taken to restore the Councell in *Trent*, the Pope gaue an account thereof to the Cardinall of *Ferrara*, and the French Ambassadour, and dispatched an expresse currier to the French King, to signifie his purpose vnto him, saying hee would send a *Nuncio* vnto him, to relate more particularly the reasons which moued him. And, in the ende of Iune, hee dispatched two *Nuncij* at once, *Sebastianus Pighinus*, Archbishop of *Sipento*, to the Emperour, and *Trivlcius*, Bishop of *Tolone*, to the French King. To the first hee gaue instructions, to speake in conformitie of the resolutions taken in the Congregation. Hee gaue order to *Trivlcius* to goe by poste, that hee might aduise what the Kings minde was, which hee desired to knowe before hee proceeded any further. Hee gaue him instruction to giue a particular account of the causes why hee resolued to bring backe the Councell to *Trent*; because *Germanie* did submit to it; because the Emperour did desire it; because it could not continue in *Bolonia*, for the cause before related; and that the Protestant affaires might not bee accommodated in some preiudiciall manner, laying the blame on the Pope. But that his first and principall

The Pope sendeth *Nuncij* to the Emperour, and French King, to giue an account of his resolution.

The instructions of the French *Nuncio*.

1550
Ivlivs 3.
Charles 5.
Edvvard 6.
Henry 2.

cipall ground was the assistance of his most Christian Maiestie, and the presence of the Prelates of his kingdome: which hee hoped to obtaine, because his Maiestie was protector of the faith, and an imitator of his aunce-stours, who neuer departed from the opinion and counsels of Popes. That in the Councell they would applie themselues to the declaration and purifying of the poynts of doctrine, and reformation of manners: neither should any thing concerning the States, Dominions, and particular priuiledges of the Crowne of *France* be handled. That, to the Emperours requeſt, to vnderstand, whether the Pope would prosecute the Councell in *Trent*, or not, the Pope had answered he would, with the conditions discussed in the Congregation, all which hee gaue order to his *Nuncio* to communicate to the King; whose minde hee desired to knowe, as soone as might bee, hoping to finde it conformable to the pietie of his Maiestie, to the loue which hee beareth to him the Pope, and to the confidence which hee hath in him. Hee also charged the *Nuncio* to communicate all his instructions to the Cardinall of *Guise*, and, with him, or otherwise, as hee thought best, to declare it to the King, and to whom else hee thought fit.

The instructions of the *Nuncio* who was sent to the Emperour.

Hee gaue the like instruction to the other *Nuncio*, in particular, to tell the Emperour, that the Pope did really shew the obseruation of whatsoeuer hee had promised to *Don Pedro di Toledo*; that is, to proceede with his Maiestie simply, plainely, and without artifice, and to represent vnto him his willing minde to prosecute the Councell, for the glory of God, discharge of his owne conscience, and for the good which thereby might redounde to his Maiestie and the Empire. And, to answere the Emperours motion, to make knowen the capitulations which hee required, hee should tell him, that hee neuer dreamed to make any bargaines or capitulations, for prosecuting the Councell, but onely some necessary considerations, which hee charged his *Nuncio* to expound to his Maiestie. And they were foure. The first, that the assistance of the most Christian King, and the interuention of the Prelates of his Kingdome, was necessary, without which the Councell would haue but small reputation, and it might bee feared that a Nationall Councel would arise, or *France* be lost. That they ought not to deceiue themselues. For as *Trent* was a secure place for his Imperiall Maiestie, so it was too vnsecure for the most Christian King: and therefore that it was fit to finde a way to secure him. That hee should communicate to the Emperor the way which he had found out; which if it were not sufficient, it would be necessary that his Maiesty should adde some thing else. The second cõsideration was, the expẽces which the Apostolike *Chamber*, exhausted, & charged with debts, was to make, for the Legats, and other extraordinaries, which the Councell bringeth with it, and likewise for the expences which the poore Italian Prelats cannot beare in that place. Therefore that it wil be fit to calculate the time well, aswel for the proceeding, as the beginning, that an houre may not be spent in vaine; otherwise the Apostolike Sea will not bee able to beare the charge, nor to keepe the Italian Prelates from beeing impatient, as former experience hath taught. Besides, it is not honourable for the Aopstolike Sea to keepe the Legates idle, and at

Foure considerations proposed by the Pope to the Emperour.

anchor

anchor, without doing any good. That it was neceſſary, that, before they come to the acte, his Maieſtie ſhould bee ſecure of the intention and obedience, as well of the Catholiques in *Germany*, as of the Proteſtants, eſtabliſhing things againe in the Diet, cauſing authenticall mandates of the Countries and Princes to be diſpatched, his Maieſty and the whole Diet together, binding themſelues to execute the Decrees of the Councel, that the paines and coſt prooue not vaine and ridiculous, and hereby to take all hope from whomſoeuer did thinke to diſturbe the Synode. That, in the third place, his Maieſty ſhould conſider, that it was neceſſary to declare, that the Decrees already made in *Trent*, in matter of faith, and thoſe of other former Councels, may not, by any meanes, bee queſtioned, nor that the Proteſtants may demand to be heard concerning them. Laſtly, that hee ſhould tell the Emperour, that the Pope did beleeue, that his Maieſties good will towards him, was reciprocall, and that, as hee did readily condeſcend to fauour the affaires of his Maieſty, and of the Empire, by holding the Councel in a place ſo fit for his purpoſe, ſo hee deſireth that his ſincerity and realitie, may not bring a burthen vpon him. That he hopeth, if any one ſhall attempt ought againſt it, by cauillations or calumnies, that his Maieſtie will not maruaile, if hee vſe the remedies which ſhall occur, for defence of the authority giuen immediately by God to him, and the Apoſtolique Sea, as well in Councel as out.

1550
Iulivs 3.
Charles 5.
Edvvard 6.
Henry 2.

The Pope thought it profitable for his affaires, that his reſolution ſhould be fully knowen in *Italy* and *Germany*; and bad *Iulius Cananus*, his Secretary, making ſhew to fauour ſome Courtiers, his friends, to communicate the foreſaide inſtructions vnto them, with obligation of ſecrecie: by which meanes they were ſpread euery where. The Pope had a ſpeedy anſwere from his new *Nuncio* in *France*. For that King, vnderſtanding the cauſes, why the Pope could haue but little confidence in the Emperour, in regard of ſome things paſt, thinking hee was much inclined to *France*, made great demonſtration to bee well pleaſed with the *Nuncio*, and his meſſage, offered to the Pope whatſoeuer he was able to doe for him, promiſed to aſſiſt the Councel, and to ſend the Prelates of his Kingdome, and all fauour and protection, for maintenance of the *Papall* authority.

The French King maketh large offers to the Pope.

The Emperour, hearing the propoſition of the Arch-biſhop of *Siponto*, and conſulting maturely of it, did commend the ingenuity and wiſdome of the Pope, that, knowing the publique neceſſity, of holding the Councell in *Trent*, had found a conuenient way to remit it, without further proceeding in the cauſe of the Tranſlation, a thing diſtaſtfull, of much difficulty, and of no profit. He added, that the foure conſiderations were all important, and reaſonably propoſed by his Holineſſe. That, for *France*, he did not only commend what he had conſulted, but offered to ioyne with him, to giue all poſſible ſecurity to that King. That it was reaſonable to cut off ſuperfluous charges, and not to ſuffer the Councell to bee open, and idle. That a Decree was made in *Ausburg*, a yeere ſince, that all *Germany*, euen the Proteſtants alſo, ſhould ſubmit themſelues, a copie whereof hee would giue to the *Nuncio*, & cauſe it to be confirmed in the preſent Diet. That he thought it not a fit time now to treate, that the things already decided in *Trent*, ſhould not be queſtioned, becauſe it would be done more opportunely in that Ci-

The Emperors anſwer to the Pope.

1550
Iulivs 3.
Charles 5.
Edvvard 6.
Henrie 2.

tie, when the Councel was assembled. And for the authority of his Holinesse and the Apostolique Sea, as he hath formerly beene a protectour of it, so hee will bee hereafter, defending it with all his forces, and euen with his owne life, if there were occasion. That he could not promise his Holinesse that no vnquiet spirit should speake or treat in the Councel, but he gaue his word, that, in case it did happen, hee would so oppose, that he should commend him for his paines.

He proposeth the prosecution of the Councel in the Diet of *Ausburg* and other things.

The Emperour, as hath beene saide, was in *Ausburg*, to hold the Diet; which, though it was not so compassed with armes as the former, yet it was alwayes armed. He proposed the prosecution of the Councel of *Trent*, the obseruation of the *Interim*, made in the last Diet, and the finding away for restoring of Ecclesiasticall goods, and the renewing of iurisdiction. It pleased the Catholique Princes, that the Councel should bee prosecuted; but the Ambassadours of some Protestant Princes did not consent, but with these conditions. That the things already determined in *Trent* should bee reexamined; that the Diuines of the Augustine confession, should not onely bee heard, but haue a deciding voice; that the Pope should not preside, but should submit himselfe also to the Councel, and release the Bishops of their oath, that they may speake freely. The Emperour complayned of the Protestants, that his Decree of the *Interim*, was not obeyed by them; and of the Catholikes, that the reformation of the Clergie was not executed. These excused themselues, some by saying, that they were to proceede slowly, auoiding dissensions; others, that the exempt, pretending priuiledges, would not obey. The Protestants laid the cause vpon the people, who, in regard the matter concerned their conscience, did mutin, and could not bee forced. The Emperour, gaue an account to the *Nuncio* of all these particulars, shewing not onely the consent of the Catholiques, and of the greater number of the Protestants, but the limitation also proposed by the others, least, if hee had heard of it by some other meanes, it might haue produced some bad effect. But he added, that hee would not haue this limitation put into the acts, because those Princes had giuen him their word, that they would doe nothing against his will; and therefore he might affirme to the Pope, that all *Germany* was contented with the Councel. Afterwards, hee treated more strictly with the principall Ecclesiastiques, proposing that the beginning should be before Easter, and that they would goe thither in person. Which being promised by the Electors, hee solicited the Pope to make the conuocation for Easter, or immediately after, because hee was assured of the consent of all *Germany*. Which the better to confirme, he prayed his Holinesse, that when the Bul was made, he would send him the draught, before it was published, that (shewing it to all, in the Diet) hee might, by that occasion, make a Decree, and cause it to be receiued by all.

Conditions required by the Protestants, concerning the Councel.

The Emperor hastneth the conuocation of the Councel, and desireth to see the Bul before it be published.

The Pope thought that nothing was concluded of what was proposed by him, so long as it was not decided, that the Decrees already made should bee receiued. Hee would not, that, in the very beginning of the Councel, this should bee disputed of; because the issue was plaine, that is, that much time would bee spent, and nothing done, and in fine, all would bee dissolued without conclusion. It was plaine to be seene, that the generall dispute, whether

ther they ought to be receiued, did draw after it a particular of euery one, and that himselfe should not be able to interpose, because it would be alleadged that he was to be suspected, as hauing beene president, and the principall authour. To insist more with the Emperour that this point might be decided, would giue him more distast, and cast all into insuperable difficulties. He was counselled, that, without saying any more, he should take the point for decided, & presuppose in his *Bul*, that the Decrees already made should be accepted by all. For the *Bull* going to the Diet with this tenor, either the Dutchmen will bee contented with it, and so he shall obtaine his purpose, or will not accept it, and so the dispute will begin in the Diet, and himselfe will bee free from care of it. The Councell seemed vnto him good; in conformitie whereof he made the Bull. And to satisfie the Emperour in part, he sent it to him, not in a draught, because he thought it was against his honour, but framed, dated, and sealed; yet not published. The date was the fifteenth of Nouember.

1550
Iulius 3.
Charles 5.
Edvvard 6.
Henry 2.

The Popes resolution concerning the Decrees already made.

The *Bull* of the *Conuocation* was dated the 15. of Nouember.

In that *Bul* he said. That, for the taking away of all differences of Religion in *Germany*, it being expedient and fit (which the Emperour had also signified vnto him) to reduce the generall Councell into *Trent*, called by *Paul* the third, begun, ordered, and prosecuted by himselfe, then Cardinall, and President, and many decrees of faith, and discipline, beeing constituted and published therein, hee, vnto whom it belongeth to call and direct generall Councels, for the encrease of the orthodoxe religion, and to restore peace to *Germanie*, which formerly hath not yeelded to any Prouince in obedience and reuerence of the Popes, the Vicars of Christ, hoping also that the Kings and Princes will fauour and assist it, exhorteth and admonisheth the Patriarques, Arch-bishops, Bishops, Abbats, and others, who, by law, custome, or priuiledge, ought to assist in Councels, to bee in *Trent*, the first of May; in which day he hath ordained, by his Apostolique authoritie, and consent of the Cardinals, that the Councell shall bee reassumed in the state in which it was, and prosecuted; whither he will send his Legats, by whom he will preside in the Synode, in case he cannot be personally present, notwithstanding any translation, suspension, or any thing else, especially those things which *Paul* the third in his *Bull* of the *Connocation*, and others, belonging to the Councell, did ordaine that they should not hinder; which *Buls* his will is that they shall remaine in force, with all their clauses and decrees, confirming and renewing them, as much as is needfull.

The Councell is to begin the first of May.

The Emperours Ministers, and other zealous Catholikes, to whom the Emperour did impart it, thought it would exasperate the Protestants, and giue them occasion not to accept of the Councell, in which the Pope declared that he would not onely preside, but direct also. Besides, to talke of reassuming and prosecuting it, was to put too many suspicions into their heads; and to speake so magnificently of his authoritie, was nothing but to prouoke them. They counselled the Emperour to endeauour that the Pope should moderate the Bull, and reduce it into such a forme, as might not more alienate the Protestants. The Emperour treated thereof with the Nuncio, and wrote to his Ambassadour to doe the like with the Pope, praying his Holinesse affectionately, and effectually, and for Christian charitie, to make

The Emperor desireth an alteration of the *Bull*.

those

1550 Iulius 3. Charles 5. Edvvard 6. Henry 2.

thoſe words more milde, which might diuert *Germany* from accepting the Councell. The Ambaſſadour in *Rome* treated with a Spaniſh dexterity, and ſaid, That as wilde beaſts, taken in a ſnare, muſt bee drawen gently, making ſhew to yeeld vnto them, nor muſt be ſhewed the fire, or armes, for feare of prouoking them, and putting them in deſpaire, which will increaſe their forces, ſo the Proteſtants muſt bee vſed, who, with gentleneſſe, and by inſtructing and hearing them, muſt be brought to the Councell, where beeing arriued, it will be a fit time to ſhew them the truth. That to condemne them before they were heard, was to exaſperate and prouoke them more. The Pope anſwered, according to his vſual liberty, that he would not be taught to fight with a Cat ſhut vp, but would haue it at libertie, that it might fly; that to bring the Proteſtants with faire words to the Councell, where the deeds would not be anſwerable, was to put them in deſpaire, and make them take ſome raſh reſolution; and therefore what was to bee done, was to bee told them plainely. The Ambaſſadour anſwered, that it was true in things neceſſarie, or fit to be ſpoken: but he ſaw not how it was then fit to ſay, that it belongeth to him to direct Councels. That theſe things are moſt true; but truth hath not this priuiledge to be ſpoken at all times, and in all places; and that it is good to conceale it, when the vttering of it doth produce a bad effect. That he ſhould remember, that, by the hote ſpeeches of *Leo* the tenth, and his Legate, Cardinall *Caietan*, the fire was kindled that now burneth, which, with a gentle word, might haue beene put out. That the Popes following, eſpecially *Clement* and *Paul*, wiſe Princes, did often complaine of it. If *Germanie* may now be gained with dextrous vſage, why ſhould it be more ſeparated with bitterneſſe?

The Popes anſwere.

The Pope, as it were, diſdaining, ſaid, That it was to be preached openly, and inculcated, which Christ hath taught, that his diuine Maieſty hath made his *Vicar Head* of the Church, and the principall light of the world: that this is one of the truthes that muſt be ſpoken in all times, and places, and (as Saint *Paul* ſaith) *in ſeaſon and out of ſeaſon*; that to doe otherwiſe would be againſt the commaundement of Christ, *Hiding the candle vnder a buſhell, which ſhould be ſet on a Candleſticke.* That it was not honourable for the Apoſtolike Sea to vſe artifice, and diſſimulation, but that hee ought to ſpeake plainely.

The Ambaſſadour, by way of a pleaſant diſcourſe, ſaid; That to hide the rod, and to make ſhew of benignity, and to yeeld vnto all, ſeemed vnto him the true Apoſtolike office; that he had heard it, read in S. *Paul*, that being *free, he made himſelfe ſeruant of all, to gaine all*; with the *Iewes, a Iew*; with the *Gentiles, a Gentile*; with the *weake, weake*; *to win them alſo*; and that this was the way to plant the Goſpell. In fine, the Pope, not to enter into diſpute, ſaide, that the *Bull* was made according to the ſtile of the Chancery, which could not be altered; that he was auerſe from nouities, and muſt follow the ſteps of his Predeceſſors; that obſeruing the vſuall forme, whatſoeuer ſhould happen could not be attributed to him, but if he had inuented a new, all the miſchiefe would be laid to his charge. The Ambaſſadour, to giue him time to bethinke himſelfe better, concluded that he would not take the anſwere for a Negatiue, but hoping that his Holineſſe would take compaſſion on *Germanie*,

1550
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

manie, with a fatherly affection, purposing to let Christmas be past, for then it was the midst of December, and then to make a new assault vpon him.

But the Pope, resolute not to change one iot, said often, I will preuent, and not bee preuented; and to take away all trouble of discourse on Saint *Iohns* day hee made a Briefe, in which hauing summarily declared the contents of his foresaide Bull, pretending that some, becausse it was not published, might alleadge ignorance, hee ordained that both the Briefe, and the Bull should bee read, published, and affixed on the Churches of Saint *Peter*, and Saint *Iohn* of *Lateran*, with intention to send a Copie thereof printed to the Arch-bishop, that by them it might bee intimated to the Bishops, and other Prelates. All meanes was taken from the Ambassadour to speake any more thereof with the Pope, and therefore hee presently dispatched an expresse Currier, to signifie all to the Emperour. Who, seeing the Popes resolution, and thinking on a remedie, caused the Bull to bee read in the publike assembly, which produced iust the same effect which hee foresaw, that is, that the Protestants would recall their word to submit themselues, and the Catholikes refuse to goe to the Councell. It displeased the Catholikes, by reason of the harsh and intractable stile; the Protestants, for the causes aforesaid: which were, that it belongeth to the Pope, not onely to call, but also to direct, and gouerne the Councils; that hee was resolued to continue and prosecute the things begun, which tooke away the reexamination of what was alreadie handled, that vnseasonably, and without occasion, hee had said, that *Germanie* had acknowledged the Popes for Vicars of CHRIST; that hee had declared himselfe president of the Councell, and had called none but Ecclesiastikes, and, with many affected words, had confirmed the Bull of the Conuocation of *Paul*. They saide that the Councell, with these grounds, would be in vaine; whereunto to submit ones selfe, was to sinne against GOD, and his conscience. The Catholikes said, that if there were no hope to reduce the Protestants, the labour, and charge would bee idle. The Emperour gaue a temper to both parties, saying, that the Councell was generall of all Christian Nations, all which obeying the Pope but *Germanie*, hee had framed the Conuocation as it did agree vnto them; that for *Germanie*, they should leaue all to his care, who knew how to handle the businesse; that they should suffer other Nations to meete, and that himselfe would goe in person, if not thither, yet to some neere place, and would take order, not by wordes, but deedes, that all should passe with good termes; that they should not regard what the Pope saide, but what himselfe did promise, vpon the word of an Emperour and a King. So he pacified their minds; and the 13. of February a resolution was made, and a Decree published; the tenour whereof, was:

That it being proposed in the former Diet, that there is no meanes to compose the discords of *Germanie*, in cause of religion, but by a pious, and generall Councell, all the States of the Empire haue confirmed the proposition, and resolued to accept and approue the said Synode, & submit themselues to it; which hauing not been executed as yet, the same proposition and determination hath been made, in the present Diet. For the Emperour hauing laboured, and finally obtained of the Pope, that the Councel should be remitted to *Trent*,

The Pope maketh a Briefe, and causeth both it, & the Bull to bee published.

Which giueth distast both to Papist and Protestant in *Germanie*.

Who are pacified by the Emperour.

And therfore a Decree in the Diet is made to this effect.

1551 Iulius 3. Charles 5. Edvvard 6. Henry 2.

Trent, the firſt of May, the next yeere, and his Holineſſe hauing done it, and the *Conuocation* hauing beene read, and propoſed in the Diet, it is fit they ſhould continue in the ſame reſolution to expect the Councell, with due obedience, and to go to it, in which all Chriſtian Princes will aſſiſt, aud the Emperour himſelfe, as aduocate of the holy Church, and defender of the Councels, will doe what belongeth to his charge, as he hath promiſed. Who therefore giueth notice vnto all, that his will is, that euery one who goeth to the Councel, ſhall be ſecured by the Imperial authoritie and power, to goe, remaine, returne, and propoſe freely what he ſhall thinke in his conſcience to be neceſſary. And therefore that hee will lodge in the Confines of the Empire, in the neereſt place hee can. And hee admoniſheth the Electors, Princes, and States of the Empire, eſpecially the *Eccleſiaſtiques*, and thoſe who haue made innouation in Keligion, that they prepare to bee there, well inſtructed, that they may bee inexcuſable, himſelfe taking care that all ſhall paſſe lawfully, and in order, and that euery thing bee handled piouſly and Chriſtianly, according to the holy Scripture, and doctrine of the Fathers. And for the tranſgreſſion of the Decrees of the *Inter-religion*, and *Reformation*; beeing aſſured, that it was impoſſible to ouercome the difficulties, and that as one laboured the more, ſo things grew worſe, to the end that greater confuſion may not ariſe, hee calleth vnto him the cognition of the tranſgreſſions paſt, yet enioyning the Princes, and orders of the Empire, to obſeruance hereafter.

Which ſeemeth to bee a counterpoiſe to the Popes Bull.

The world ſeeing this Decree, thought it, as it was, a iuſt counterpoiſe of the Popes Bull, in all parts. The one will direct Councels, the other will take care that all be done in order, and iuridically; the one will preſide, and the other will haue the deciſion according to the Scripture, and the Fathers; the one will continuate, and the other will haue power giuen to euery one to propoſe, according to his conſcience. In ſumme, the Court could not digeſt this affront, and complained that it was another *Connocation* of the Councell. But the Pope according to his vſuall pleaſantneſſe, ſaid, the Emperour hath been euen with mee, for the publication of the Bull, made without him.

1351

The Preſidẽts of the Councel are named

The yeere 1551. being begun, the Pope, applying himſelfe to the Councell intimated, had two principall aymes; to ſend truſtie perſons to preſide, and to bee at as little charge as was poſſible. To auoyde charge, hee thought to ſend but one Legate; but that was too great a burthen for one, becauſe there would bee none who had the ſame intereſts, on whome hee might ſafely relie, and becauſe hee ſhould bee eſteemed the onely autour of whatſoeuer was done. For which reſpects it was neceſſary to lay the burthen on more mens ſhoulders. The Pope found a middle way, to ſende one Legate, and two *Nuncij*, with equall authoritie, thinking that ſo hee ſhould bee better ſerued, becauſe hope maketh men more diligent. Caſting his eye on all the Cardinalls, hee found none more truſtie, and withall more worthie, then *Marcellus Creſcentius*, Cardinall of S. *Marcellus*; to whome hee ioyned for *Nuncij*, *Sebaſtianus Pighinus*, Archbiſhop of *Siponto*, and *Aloiſius Lipomannus* Biſhop of *Verona*: of the former hee made choyce, for the great confidence hee had

in

in him before his Papacy; of the other, for the fame of his great pietie, goodneſſe, and loyalty. Hauing had many ſecret parlies with theſe three, and opened vnto them the ſincerity of his heart, and inſtructed them fully, hee gaue them an ample *Mandate*, to be preſent in the Councell, in his name; the tenor whereof was. 1551 IVLIVS 3. CHARLES 5. EDVVARD 6. HENRY 8.

It belongeth to the father of a family, to ſubſtitute others, to doe that which he cannot commodiouſly doe himſelfe. Therefore, hauing reduced to *Trent* the Generall Councel, intimated by *Paul*, hoping that the Kings and Princes, would affoord their fauour and aſſiſtance, hee cited the Prelates, who vſually haue voice therein, to be there the firſt of May, to reſume the Councel in the ſtate it was. But not beeing able to bee perſonally preſent, according to his deſire, in reſpect of his old age, and other impediments, that his abſence might not bee a hinderance, hee appointeth *Marcellus*, a zealous, wiſe, and learned Cardinall, for Legate, and the Biſhops of *Siponto*, and *Verona*, famous for knowledge and experience, as *Nuncij*, with ſpeciall *Mandate*, and fit clauſes. Sending them, as Angels of peace, giuing them authority to reſume, direct, and proſecute the Councel, and to doe all things meete and neceſſary, according to the tenor of his, and his predeceſſours letters of the Conuocation. The Emperour, whom the Councel did more concerne, holding it to be the onely meanes, to make himſelfe abſolute Maſter of *Germany*, ſent a ſafe conduct in an ample forme, to all the Proteſtant Orders of that Empire, for themſelues, their Ambaſſadours, and Diuines.

The tenor of their Mandat.

The Emperot giueth a Safe conduct to the Proteſtants.

But while theſe foundations were laide in *Rome* and *Ausburg*, to build the Councel of *Trent* vpon them, webs were ſpunne in other places, which obſcured the dignity and authority of that Synode, and Engines were framed which did ſhake and diſſolue it. The Pope, immediately after his aſſumption, to performe what hee had promiſed in the Conclaue, reſtored *Parma* to *Octauius Farneſe*, which the Pope had taken into his hands, in the name of the Church, and aſſigned to him two thouſand crownes a moneth, to defend it. *Octauius*, in regard of the enmity of *Ferrante Gonzaga*, Vice-Duke of *Milan*, and of many arguments which he had, that the Emperour meant to bee Lord of that City, the Pope alſo hauing taken from him the prouiſion of two thouſand crownes, doubting that hee was not able to defend it with his owne forces, treated with the Pope, by his brother the Cardinall, either to aſſiſt him, or giue him leaue to prouide for himſelfe, by the protection of ſome other Prince, able to maintaine him againſt the Emperour. The Pope, without thinking more of it, anſwered, that he ſhould doe for himſelfe the beſt he could. Wherefore *Octauius*, by meanes of *Horatius*, his brother, ſonne in law to the French King, put himſelfe vnder the protection of *France*, and receiued a French Gariſon into the City. This diſpleaſed the Emperor his vncle, who perſwaded the Pope, that it was againſt his honour, who was ſupreame Lord of that City and Duke. Therefore the Pope publiſhed a ſeuere edict againſt him, citing him to *Rome*, and declaring him traytor, if hee did not appeare, and demanding the Emperours aſſiſtance againſt him; who declared that he did approoue the Popes cauſe, and would defend it with his armes. This was a beginning of a manifeſt warre,

The Pope reſtoreth *Parma* to *Octauius Farneſe*.

Who receiueth a French Gariſon into the City.

Which occaſioneth a war betweene the Emperour and the French K.

1551
Iulivs 3.
Charles 5.
Edward 6.
Henry 2.

warre betweene the Emperour and the French King, and of great distasts of this King against the Pope. And in *Saxonie*, vpon the Riuer *Albi*, discourses beganne, betweene the *Saxons* and those of *Brandeburg*, to make a league against the Emperour, that he might not wholly subdue *Germany*, as shall be said in its place. Notwithstanding these seedes of warre, which in *Italy*, in the beginning of April, began to spring, the Pope would haue the Legate and *Nuncij* go to *Trent*, and gaue them commission to open the Councell, on the first of May, the day appointed, with those who were there, yea though there were none at all; by the example of the *Nuncij* of *Martinus* the fifth, who opened the Councell of *Pauia* alone, without the presence of any Prelate.

A confederation is made in *Germany* a. against the Emperour.

THE

1551
IVLIVS 3.
CHARLES 5.
EDWARD 6.
HENRY 2.

THE FOVRTH BOOKE OF THE HISTORY OF THE COVNCELL OF TRENT.

HE Legat and *Nuncij* being come to *Trent*, accompanied with some Prelates, who followed them from *Rome*, and some other being arrived, who, hauing beene sollicited by the Pope, came thither a little after, they assembled, the foresaid day, with the wonted Ceremonies, in the vsuall place, payled, within the Cathedrall Church, which was not pulled downe; where the Arch bishop of *Torre* sang Masse, and the Secretary read the Popes Bull of the Conuocation, and the *Mandate* of the Presidents; and hee that saide Masse read the Decree interrogatorily. Pleaseth it the Fathers, that, according to the Popes letters, the Councell of *Trent* should be resumed, and prosecuted? And all hauing giuen their voyces, hee sayde againe; Pleaseth it you, that the next Session bee held the first of September next? Whereunto all agreed. And the Cardinal, Prime President, concluded, by the consent, and in the name of all the Synode, that the Councell is begun, and shall bee prosecuted. Nothing else was done that day, nor the next, though the Prelates were often assembled in the Legates house; because the Congregations had no forme, there being no Diuines. Onely the things disputed in *Bolonia* were read, to make the deliberation of that which was to bee handled more mature, especially in matter of reformation, which was esteemed to bee of the greatest moment.

The Presidets of the Councell, and some Prelats arriue in *Trent*.

The next Session is appointed for the first of September.

In the ende of the moneth the Pope sent *Ieronymus Francus* to the Suisses, who before had beene the *Nuncio* of Pope *Paul* to that nation, principally to prouide that the French King might not haue Souldiers from them, and to obtaine of them a leuie, for the affaires of *Parma*. And, vpon that occasion, he wrote vnto them the seuen and twentieth of May, that as hee had taken the name of *Iulius* the second, so affectionate to them, so hee would follow his example in louing them, and vsing their assistance:

The Pope sendeth a *Nuncio* to the Suisses.

1551
Iulius 3.
Charles 5.
Edward 6
Henry 2.

which he had begun to doe by taking a guard of their Nation, for the safety of his owne person, and another for *Bolonia*. Now the Councell being intimated, and begun in *Trent*, the first of May, hee prayed them to send their Prelates against the first of September, when the second Session shall bee holde.

The French K. excuseth to the Pope his protection of *Parma*.

The French King sought to perswade the Pope, by Termes, his Ambassador, that hee had, vpon good reasons, taken vpon him the defence of *Parma*, praying him to bee contented with it; and to shew him, that, doing otherwise, and preferring warre before peace, hee should not only damnifie *Italie*, but hinder the prosecution of the Councell, or cause it to dissolue. And that, though this did not fall out, yet, in regard no French Bishop could goe thither, it could not with reason bee called a generall Councell. The Pope offered to doe any thing else which the King should desire; and after many discourses, it being represented to him that the King could by no meanes retire, and that, in case his Holinesse would not bee neutrall, but make himselfe the Emperours minister, by whom the King was certaine that he was guided, his Maiestie would bee forced to vse those remedies of reason and fact, which his ancestors haue vsed against partiall Popes; the Pope grew angry or fained to bee so, and answered, that if the King tooke *Parma* from him, hee would take *France* from the King; and if the King did take from him his obedience, hee would take from the King the commerce of all Christendome; and if hee spake of force, let him doe the worst hee could; if of Edicts, and prohibitions, and such things, hee let him know, that his pen, paper, and inke were not inferiour. But though the Pope spake so high, yet hee was afraide; and therefore, to excite the Emperour, hee signified vnto him, by his *Nuncio*, the Bishop of *Imola*, whom hee had sent in place of the Arch-bishop of *Siponto*, all these discourses with the French, and afterwards tolde him, that in *Rome* there was doubt of another sacke, in regard of so many rumours of the Turkes, and French-men, and feare of Nationall Councells. Therefore there was neede of Armes, to preuent these attempts, and to defend themselues, when neede required.

His Holinesse is angrie.

The French K. maketh preparation for a Nationall Councel: from which, & from the protection of *Parma* he is disswaded by the Pope.

The King seeing it was impossible to perswade the Pope, wrote a publike letter to all the Bishops of his kingdome, as well in *France*, as elsewhere, commanding them to bee at their Churches within sixe moneths, and to put themselues in order there for a Nationall Councell; and the letter was presented to those also who were in *Rome*; neither durst the Pope hinder them, for feare of doing them, and his owne reputation more hurt. But hee sent *Ascanius della Corna*, his nephew, into *France*, to disswade the King from the protection of *Parma*: to make him vnderstand that *Octauius Farnese* being his Vassall, hee could by no meanes indure to bee contemned by him, in regard it would bee an eternall infamie, and an example to others not to acknowledge him for Pope. That his inclination to *France* and his Maiestie was great, and his minde auerse from those who were emulous of him, and that this is knowne to the whole world. Yet the foresaid respect is so potent, that, if his M^tie. would not giue a remedie, it were enough to make him cast himselfe into the armes of him that he would not. His instruction also was,

that

that if the King would not be perſwaded to this, he ſhould pray him to conſider well how great inconueniences a Nationall Councell would drawe after it, and that it would be a beginning to giue his Subiects licence, whereof he would repent him, and would preſently cauſe this bad effect to hinder the generall Councell, which would be the greateſt offence could be done to God, and the greateſt damage to faith, and the Church. He prayed him to ſend an Ambaſſador to *Trent*, aſſuring him hee ſhould receiue all honour and reſpect from the Preſidents, & all the Prelates who were his Holineſſe friends. Wherunto if hee did not condeſcend, but perſeuere in maintaining the *Edict*, hee ſhould, for taking away all ſcandall, propoſe to him a temper, to declare, that his meaning was not to hinder the generall Councell by that *Edict*.

1551
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

The King, hearing the Ambaſſage, ſhewed alſo that his honour did conſtraine him to continue the protection of the Duke, and to maintaine the *Edict*, but with ſuch words, as made it plaine hee was diſpleaſed with the diſtaſtes giuen him, and that hee had a deſire to right himſelfe. And to anſwere the Pope, hee ſent the Lord of *Monluc*, the *Elect* of *Bourdeaux*, to him, not without ſome hope to pacifie the Popes minde. But doe hee what hee could, hee continued in the ſame rigidneſſe concerning the affaires of *Parma*, and ſent the ſame *Monluc* backe, with commiſſion to complaine of the King that hee had ſent the *Edict* of the Nationall Councell, and letters, to the Prelates who were ſubiects to his Holineſſe, euen in temporalities (vnderſtanding the Biſhop of *Auignion*) as farre as to *Rome*, which all the world did interpret to be done onely to hinder the generall Councel. And, in concluſion, hee prayed the King, that ſeeing they were both reſolute, himſelfe to correct *Octauius*, and his Maieſtie to protect him, at the leaſt their differences might bee contained within *Parma*, though his Maieſtie had already proceeded further, by taking the Cardinals and Prelates from *Rome*; whoſe departure he would not hinder, hoping that his Maieſtie, hauing exhaled his anger, ſhould bee illuminated by God, to change his maner of proceeding. Neither theſe mutuall offices, nor the reſpect of the Councel, could make either of theſe Princes remit any thing of their rigor. The generall conſent was fauourable to the King. For the Emperour hauing ſeized on *Piacenza*, to leaue *Parma* to him alſo, was to giue all *Italy* into his hands; and it ſeemed an indignitie, that the poſteritie of *Paul*, who had ſo laboured for the libertie of *Italy*, ſhould bee abandoned by all: and if the Pope did not complaine that *Piacenza* was vſurped, nor made any inſtance for the reſtitution, why ſhould hee complaine that the Duke ſhould ſecure himſelfe of *Parma*. And this reaſon preuailed ſo much with ſome, that they aſſured themſelues it was well vnderſtood by *Iulius*; but that, to make ſome thing ariſe which might hinder the Councell, which not proceeding from him, might bee aſcribed to another, he deſired a warre between the King and the Emperour. It is certaine that hee laboured more with the Emperour to moue armes againſt *Parma*, or *Mirandula*, then with the King to accommodate the buſineſſe. The King hauing tried all meanes to pacifie the Popes minde, paſſed to the extreame, which was to proteſt by his Ambaſſadour *Termes*, and particularly againſt the Councell which was aſſembled, hoping that reſpect would remoue the Pope: the contents of

But he continueth firme in his reſolution.

And proteſteth againſt the Councel, then aſſembled in *Trent*.

1551
IVLIVS 3.
CHARLES 5.
EDWARD 6.
HENRY 2.

which protestation, because it was reiterated in *Trent* shall bee related vpon that occasion.

The Protestant Princes resolue to send to *Trent*.

But in *Germanie* there was more speach of the Councell then euer. For *Maurice*, Duke of *Saxonie*, seeing the Emperours resolution, to giue him a sure argument that hee would obey him, in sending to *Trent*, commanded *Philip Melancthon*, and some others of his Diuines, to put together the points of doctrine, to bee proposed in the Councell, and to assemble in *Lipsia* all the Doctors and Ministers of his State, to examine them. And *Christopher*, Duke of *Wittenberg*, who, a little before, succeeded his father, caused another composition to be made by his people, which was the same thing in substance; and the one part did approue that of the other; yet did choose not to proceede ioyntly, that the Emperour might not suspect. Afterwards Duke *Maurice* wrote to the Emperour, giuing him an account of his being in order with his Diuines, and of the writing which hee had prepared; but added that his *Safe Conduct*, seemed not sufficient. For in the Conncell of *Constance* it was determined, that they might proceed against those that came to the Councell, though they had *Safe Conduct* from the Emperour; and the *Decree* was approued by the death of *Iohn Husse*, who went to the Councel vnder the publike faith of *Sigismond*. That therefore hee could not send any to *Trent*, if those of the Councell did not giue *Safe Conduct*; as was done in that of *Basil*, whither the Bohemians, for the example of *Constance*, would not goe, but vnder the publike faith of the whole Councell. Therefore hee prayed the Emperour to procure for them a *Safe Conduct* from the Ecclesiastiques of *Trent*, in that forme as those of *Basil* did grant it to the Bohemians, because they were iust in the same condition now, as the Bohemians were then. *Cæsar* promised to doe it, and gaue order to his Ambassadours, whom he then dispatched to the Councel, to procure it.

And require a *Safe Conduct* fro the Councell.

Which the Emperour promiseth to procure.

The Ambassage consisted of three persons, to honour the Councell, and to haue many ministers to treat: and this colour was for the number, that one was for the Empire, another for *Spaine*, and the third for his other States, and yet all *in solidum* for all. The *Mandat* was signed the sixt of Iuly: and conteined, that Pope *Iulius*, to appease the controuersies of Religion in *Germanie*, hauing recalled to *Trent*, the first of May past, the Councell called by *Paul*, began, and intermitted, himselfe, by reason of his indisposition, not beeing able to bee there in person, hee hath sent (not to faile of his duetie) his Proctors thither. Therefore trusting vpon the faith, honestie, experience, and zeale of *Hugh, Count of Montfort*, *Don Pedro di Toledo*, and *William*, Archdeacon of *Campagnia*, he maketh them his *Orators*, and *Mandataries*, for his Imperiall dignitie, Kingdomes, and hereditary States, giuing them, and each of them facultie, to appeare in the Councell, to hold his place, consult, treate, giue counsell and voice, to decree in his name, and doe euery thing else which himselfe could doe if hee were present: putting them in place of his person, and promising to ratifie whatsoeuer shall bee done by them three, or by any one of them. The Pope, though hee much desired the Councel should bee opened, yet after it beganne, hee tooke no thought that the Prelates should goe thither; either because he was intent vpon the warre, which was on fire at *Mirandula*, or because hee cared but little for it. All the

Who sendeth three Ambassadours to the Councell.

The contents of their *Mandat*.

paines

paines was taken by the Emperour, who thrust forward, first, the Electours of *Mentz*, and *Triers*, and afterwards of *Cullen*, together with fiue other principall Bishops, and the Proctors of many who were hindered. He caused also some Prelates to come out of *Spaine*, besides those who had entertayned themselues in *Trent*, and *Italy*, vntill then, and out of his States in *Italy*; besides which there were but few: so that, for eight moneths that the Councel lasted, the Presidents and Princes beeing reckoned, the number did not exceed sixty foure.

1551
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY. 2.

The Ecclesiastical Electors goe to *Trent*.

The number of the Prelats in the Councell.

The first of September, the day appointed for the Session, beeing come, they went to the Church with the vsuall ceremonies. The order of precedence was thus. First the Cardinall Legate, then the Cardinall *Madruccio*, the two *Nuncij*, the two Electours, (that of *Collen* beeing not come) two of the Emperours Ambassadours (the Arch-deacon being not yet arriued) the Ambassadour of the King of the Romanes, and then the Arch-bishops. The Masse beeing sung, and the Ecclesiasticall ceremonies ended, the Secretary read an exhortation, to the Fathers of the Councel, in the name of the Presidents: to this purpose. That, by the presence of the two Electours, being entred into hope, that many Bishops, of that and other Nations, will assist in the Councel, they thought fit, in the meane time, in regard of the place they beare, to giue a little admonition to themselues, and them, (though they saw all were ready to doe the office of good Pastours) because the matters to bee handled were of great moment; that is, to extirpate heresies, to reforme Ecclesiasticall discipline, from the corruption whereof heresies haue risen, and finally, to pacifie the discords of Princes. That the beginning of the exhortation, ought to be taken from the knowledge of their owne insufficiencie, flying to the assistance of GOD, who will not faile them: whereof they see many arguments already, but especially the comming of the two Princes. That the authority of Generall Councels, was alwayes very great, the holy Ghost presiding in them, and their Decrees esteemed not humane, but diuine. That an example hereof hath beene left by the Apostles, and the Fathers following, seeing that, by Councels, al heretiques haue beene condemned, the life and manners of Priests and people reformed, and the discords of the Church appeased. Therefore beeing now assembled to doe as much, they must awaken themselues, that they may regaine the sheepe that lept out of the Lords fold, and keepe those which haue not gone astray as yet. Wherein the saluation of those only is not in question, but their owne too, in regard they must giue an account to GOD, by whom, if they performe their duety, they shall be rewarded, and all posterity will attribute great praise to that Councel; but they should not aime at that, but onely at their owne duety, and charity towards the Church, which beeing afflicted, wounded, and depriued of so many deare children, lifteth vp her hands to GOD, and them, to restore them to her. That therefore they would handle the matters of the Councel with all gentlenesse, and without contention, as becommeth so great an assembly, vsing perfit charity, and consent of minds, knowing that GOD doth behold and iudge them.

The Session is held.

In which the Legats make a long exhortation to the Fathers.

The exhortation beeing ended, the Decree was read by the Bishop that said Masse, the substance whereof was; That the holy Synode, which, in

The Decree of the Session is read.

1551
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRIE 2.

the Seſſion paſt, did determine to proceed in this; hauing deferred to doe it vntill now, by reaſon of the abſence of the Germane Nation, and the ſmall number of the Fathers, reioycing for the arriuall of the two Prince Electors, hoping that many more of that and other Nations, will, by their example, haſten their comming, doth deferre the Seſſion for fourty dayes; that is, vntill the eleuenth of October, and, proſecuting the Councel in the ſtate in which it is, hauing treated alreadie of the ſeuen Sacraments, of Baptiſme, and Confirmation, doth ordaine to treat of the Euchariſt; and, for reformation, to handle thoſe things which doe facilitate reſidencie. Then the Emperours Proxie beeing read, the Earle of *Montfort* ſaid; that the Emperour, after hee had obtayned the reduction of the Councel to *Trent*, neuer ceaſed to labour that the Prelates of his ſtates ſhould goe thither; which the preſence of the Electours, and the frequencie of the Fathers, doth demonſtrate. And to teſtifie his mind the more, he hath ſent *Don Pedro* of the Kingdome of *Spaine*, another of his patrimoniall States, and himſelfe of *Germanie*, though vnworthy, praying to be receiued for ſuch. *Iohn Baptiſta Caſtello*, the Speaker, anſwered, in the name of the Councel, that they were glad to heare the Emperours *Mandate*, hauing by it, and the quality of the Proctours, conceiued how much they may promiſe themſelues; therefore that it hopeth for aſſiſtance from them, and doth, as much as it can, admit the Emperours *Mandate*. Likewiſe the Proxie of the King of the Romanes, in the perſon of *Paulus Gregorianus*, Biſhop of *Zagabria*, and of *Fredericke Nauſea*, Biſhop of *Vienna*, was read; and this ſecond did ſpeake, and was anſwered as thoſe of the Emperour.

The Abbat of *Belloſana* preſenteth the French Kings letters, the inſcriptiõ whereof giueth diſtaſt to the Synode.

After this *Iacobus Amiotus*, Abbat of *Belloſana*, appeared in the name of the French King, with letters of his Maieſty, which he preſented to the Legate, deſiring they might be read, and his credency heard. The Legate receiuing them, gaue them to the Secretary, to be read. The ſuperſcription was, *Sanctiſſimis in Chriſto Patribus Conuentus Tridentini*. The Biſhop of *Orange*, and, after him, the other Spaniards ſaid aloud, that thoſe letters were not ſent vnto them, who were a generall Councel, and not a Conuent; and therefore that they ought neither to bee read, nor opened in publique Seſſion, but, if the Meſſenger had ought to ſay, hee ſhould goe home. Much was ſpoken concerning the ſignification of the word, *Conuentus*, the Spaniards perſiſting that it was iniurious. So that the Biſhop of *Mentz* was forced to ſay, that if they would not receiue a letter from the King of *France*, who called them *Sanctiſſimus Conuentus*, how would they hearken to the Proteſtants, who called them *Conuentus Malignantium*? But the Spaniſh Prelats continuing ſtill to be more tumultuous then the reſt, the Legate, with the *Nuncij*, and the Emperours Ambaſſadours, retired into the veſtry, and had a long diſputation thereof. At the laſt, returning to their place, they made it bee ſaid to the Speaker, that the Synode doth reſolue to reade the letters without preiudice, thinking that the word *Conuentus*, is not meant in an ill ſenſe; and, if it be, doth proteſt of the *Nullitie*. Then the Kings letter was opened, and read, which was dated the 13. of Auguſt, and ſaid in ſubſtance; That it ſeemed agreeable to the obſeruance which his anceſtors haue alwaies vſed towards the Church, to ſignifie to them the cauſes why he hath bin forced not to ſtudy any

The Decree of the Seſſion is read

B. to the conuent, called by *Iulius* by the name of a publike Councel, being assured that they the fathers wil not cõdemne any mans fact before they know it, & that when they shall vnderstand what he hath done, they wil commend it. That he was compelled, for preseruation of his honour, to continue in his resolution to protect the Duke of *Parma*; from which he would not refuse to depart, if Iustice and Equity did permit. That he writeth to them as to *Honourable Iudges*, praying them to receiue the letters, not as from an aduersary, or a person vnknowen, but as from the Prince and principall sonne of the Church, by inheritance of his Ancestors, whom he promiseth alwayes to imitate, and, while he defendeth himselfe from wrongs, not to lay aside his charitie towards the Church, but euer to receiue whatsoeuer shall be constituted by her, so that due order be obserued in making the Decrees. The letters being recited, the Abbat read a Protestation, conteining a narration of a Protestation, made by Termes, in *Rome*, saying, That the King, after he had taken vpon him the defence of *Parma*, seeing that those laudable things which he had done were reprehended, vsed great care that *Paul* Termes, his Ambassador, should giue an account of al to the Pope, & Colledge of Cardinals, to take from them all sinister opinion, shewing that the taking of the Duke into his protection, was the effect of a pious, humane, and kingly mind, wherein there was no cunning or priuate gaine, but respect onely of the Church; as appeared by the propositions of accord, which aymed at nothing but that the Church might not be robbed, and *Italy* preserued in peace and libertie. And if the Pope thought this a cause to put all *Europe* into war, he was sorry; but it could not be imputed to him, hauing not onely accepted, but offered also all honest and fit conditions. Neither could the dissolution of the Councell assembled be prescribed to him, praying the Pope to consider what mischiefes would accompany the war, and to preuent them with peace. Which if his Holinesse will not regard, but desire rather to set *Europe* on fire, and hinder the Councell, giuing suspicion that it was called not for the good of the Church, but for priuate interests, excluding from it a most Christian King, he could not choose but protest to him and the Colledge, that hee could not send his Bishops to *Trent*, where the accesse is not free and secure, and that he could not esteeme that a generall Councell, but priuate from which he was excluded, neither could the people or Prelates of *France* be obliged to the decrees of it. Afterwards he protested that he would come to the remedies vsed by his ancestors in like occurrences, not to take away his due obseruance from the Apostolique Sea, but to reserue it for better times, when armes shall bee laid downe, which are dishonestly taken vp against him, desiring of his Holinesse, that this Protestation might be registred, and giuing him a copie of it to peruse. These things hauing beene already protested in *Rome*, he desired should be likewise protested in *Trent*, with the same instance, that they might be registred in the acts of that assembly, and that there being a publike instrument made of it, he might vse it in time and place.

1551
IVLIVS 3.
CHARLES 5.
EDWARD 6.
HENRY 2.

The contents of them.

The Abbat readeth a protestation.

When the Protestation was read, the Speaker, hauing talked with the President, answered in substance; That the Kings modesty in his letters was gratefull to the Synode; that it doth not accept the person of the Abbat, but

as

1551 Iulivs 3. Charles 5. Edward 6. Henry 2.

as it is lawfull; that it warneth him to bee in the ſame place the eleuenth of October, to receiue the anſwere which ſhall bee made to the Kings letters; and forbiddeth the *Nuncij* to make an inſtrument of the preſent action, but ioyntly with the Secretary of the Councell. And nothing elſe being to bee done, the Seſſion was ended. Then the Abbat demaunded an inſtrument of the action, but could not obtaine it.

The cenſure of this Proteſtation.

When Termes had proteſted in *Rome*, though many did not know of the act, yet it was beleeued that the Pope would defer the Coũcel, becauſe it muſt needs bring forth new diuiſions, if ſuch a principall Nation did reſiſt. But he deceiued the world, not for any deſire he had to celebrate it, but for that he would not ſeeme to be cauſe of the diſſolution; being reſolued, that if it were ſeparated without him, hee would anſwere, with an open mouth, to whoſoeuer ſhould deſire it againe, that he had done his part, & would do no more. But the Proteſtation made in *Trent*, a place ſo conſpicuous, was preſently publiſhed euery where, and gaue matter of diſcourſe. The *Imperialiſts* eſteemed it a vanity, ſaying, That the act of the maior part of the vniuerſality, is euer eſteemed lawfull, when the leſſer, being called, either cannot or wil not be preſent: that all are called to the Councell, and the Frenchmen alſo might haue come, without paſſing by the Popes territories; but in caſe they could not, yet their abſence doth not derogate from the Councell, becauſe they are not neglected, but inuited. It was ſaid to the contrary, that to call in words, and to exclude in deeds, was not to inuite; and, for the Popes territories, one might goe from *France* to *Trent* without paſſing by them, but not without paſſing by thoſe of the Emperour; and the maior part hath full authoritie, when the leſſer cannot appeare, and is ſilent, becauſe it is preſuppoſed to conſent, and when it will not appeare, becauſe it is accounted contumacious; but when it doth proteſt, it hath its place, and eſpecially, if the impediment proceed from him that calleth, the action, in abſence, cannot be of force.

The Decrees of Councels do not binde the Churches abſent.

And the Counſellors of the Parliament of *Paris*, ſaid ſome thing more; That it is true, that the authoritie of the whole vniuerſalitie is transferred into the maior part, when the cauſe is common to all, and nothing belongeth to particular men: but when the whole belongeth to all, and euery one hath his part, the aſſent of euery one is neceſſary, *Et prohibentis conditio potior*; and the abſent, not giuing their voyces, are not bound. Of this ſort are Eccleſiaſticall aſſemblies, and bee the Councell as populous as it will, the abſent Churches are not bound if they thinke fit not to receiue it. This hath alwaies beene vſed in ancient times, that the Councels being ended, the Decrees ſhould be ſent, to be confirmed, to the Churches that were abſent, in which otherwiſe they had no force; which euery one that readeth *Hilarius*, *Athanaſius*, *Theodoretus*, and *Victorinus*, who handle this particular, may ſee plainely. And it happened ſometimes, that ſome part of the Canons were receiued by ſome Church, and ſome left out, as euery one thought fit, for their neceſſities, manners, and vſes. And S. *Gregorie* himſelfe doth witneſſe, that the Church of *Rome* did not receiue the Canons of the ſecond Councell of *Conſtantinople*, nor of the firſt of *Epheſus*.

Wiſe men, not conſidering the ſubtilties, ſaid, that the King had giuen that Councell

Councell an vncureable wound. For it hauing no other ground then Chri- 1551
ſtian charitie, and the aſſiſtance of the holy Ghoſt, it would neuer be beleeued that theſe were preſent in an aſſembly, againſt which a moſt Chriſtian King, perſecutor of all Sects, with the adherence of a kingdome, not blemiſhed in Religion, did proteſt in that forme. And they brought an experience for proofe. For they ſaid, that the Preſidents retiring to conſult with the Emperours Ambaſſadours, did ſhew who guided the Councell. And, which was of more importance, when theſe fiue had conſulted, and imparted nothing to any body elſe, the Speaker ſaid, The holy Synod doth receiue the letters. And what was that holy Synode? And likewiſe the Abbats expoſition being read, the anſwere, reſolued on by the Preſidents onely, was giuen in the ſame name. Neither can the difficultie bee remooued, by ſaying, that the matter was of no great importance; firſt, becauſe it will be hard to maintaine, that it is not a moſt important matter, where the danger of diuiſion in the Church is in queſtion; then, be it as it will, no man can arrogate to himſelfe power, to declare what is of importance, and what not: and this is a demonſtration that things are carried iuſt as the Pope ſaith in the Bull, and the Preſidents in the Sermon read, that they were to direct the Councell; for they did ſo indeed. The aduiſe that the King had diſmiſſed the Popes *Nuncio*, and publiſhed a *Manifeſt*, did reiterate the ſame diſcourſes; which *Manifeſt* was then printed and diuulged throughout. Where he ſheweth at large the cauſes why he tooke vpon him the protection of *Parma*, blameth the Pope for the warre begunne, ſaying that he vſed this Artifice, that the Councell might not be held; Concluding in the end, that it is not meete that he ſhould haue money out of his kingdome, to make warre againſt him, whence a great ſumme is ordinarily taken for vacancies, Buls, Graces, Diſpenſations, and Expeditions: and therefore, by the Councell of his Princes, he did forbid to diſpatch Curriers to *Rome*, and to anſwere money, or gold or ſiluer not coyned, by way of bancke, for benefices, or other Graces and Diſpenſations, vpon paine of confiſcation, as well for Eccleſiaſtiques as ſeculars, and theſe to be puniſhed corporally beſides, giuing the Promooters a third of the confiſcation. This *Manifeſt* was enrolled in Parliament, with a propoſition of the Atturney generall of the King, in which he ſaid, that it was no new thing, but vſed by *Charles* the ſixt, *Lewis* the eleuenth, and *Lewis* the twelfth, and was conformable to the common Law, that money ſhould not bee carried to the enemy, and that it would bee a hard caſe, if with the money of *France*, warre ſhould bee made againſt the King, and that it was better for the ſubiects of the kingdome to keepe their money, and not care for diſpenſations, which were not able to ſecure the conſcience, and are nothing but a ſhadow caſt before the eyes of men, which cannot hide the truth from GOD.

IVLIVS 3. CHARLES 5. EDWARD 6. HENRY 2.

The Preſidents take vpon them the authority of the Councell.

The French King diſmiſſeth the Popes Nuncio, and publiſheth a Manifeſt.

It could not be endured, neither at *Rome*, nor in *Trent*, that the King ſhould ſolemnely proteſt, and make warre againſt the Pope, and ſtill ſay, that hee bare the ſame reuerence towards the Apoſtolike Sea, which is nothing but the Pope. Whereunto the French-men anſwered, that antiquitie had not this opinion, yea, *Victor* the third, who was one of the Popes that aſſumed much, ſaid that the Apoſtolique Sea was his miſtriſſe. The ſame was ſaide before

What ſ Apoſtolike Sea is.

1551
Ivlivs 3.
Charles 5.
Edward 6.
Henry 2.

before him by *Stephen* the fourth, and by *Vitalianus*, and *Constantinus*, who were more ancient, it plainely appeareth, that by the Apostolike Sea is vnderstood the Church of *Rome*; for if the Pope were the same thing, his errours and defects, would bee of the Apostolike Sea.

The French King waxeth more seuere against the Protestants.

The French King, fearing that, by his dissention with the Pope, those that desired change of religion, would make some innouation, which might prooue seditious, or that himselfe might come into the bad opinion of his people, as if his minde were auerse from the Catholike faith, and perhaps to open a way for reconciliation with *Rome*, hee made a most seuere Edict against the Lutherans, confirming all the others which he had published before, adding greater punishments, more wayes to discouer the guiltie, and greater rewards to the Promooters.

The Emperour, considering that the French King, in regard of the number of the French Cardinals, and other dependants of that Crowne, had no lesse power in the Colledge then himselfe, and being combined with the Farnesi, did farre exceede him, though he had the Pope of his side, sent to *Rome* *Don Iohn Manriques*, to perswade his Holinesse to create new Cardinalls, to exceed, or equalize the number of the French. The Pope was inclined heereunto; yet hee saw what difficultie there was, his Papacie being new, and exhausted, and in time of stirres, when it is hard to haue the consent of all the Cardinalls; and to create them without consent was dangerous. Hee was doubtfull whether to make many at once, or by little and little. He thought hee should sooner obtaine consent for this second course, and that his trustie friends would remaine in hope, and that the Cardinalls would more oppose a numerous promotion, and those that were excluded would despaire. Hee doubted whether it were fit to create any of the Prelates of the Councell; because there were many that deserued well, and the three Electors were not to bee passed ouer, especially the Elector of *Mentz* who thought of it: On the other side, to send red caps to the Councell, hee thought would mooue enuy. Hee resolued not to expect Christmas, when all come forth with their pretensions, and the places of common meetings are full of wagers, but to execute this businesse some day before vpon the sudden; though afterwards he found no fit time to create them, but Christmasse.

But to returne to *Trent*, the second of September, the day following the Session, a generall Congregation was made, and, in it, Fathers deputed to frame the Articles of the *Eucharist*, to bee giuen to the Diuines, and to collect the abuses in that matter. Afterwards they discoursed of the Reformation; which because it was to take away the cause why Bishops doe not reside, many were repeated, some proposed before in *Trent* and *Bolonia*, and some then first spoken of. Finally, they insisted vpon iurisdiction; saying that the Bishops were wholly depriued of it, partly by auocation of causes, and partly by appeales, but especially by exemptions: yea, that more often iurisdiction was exercised ouer and against them by their Subiects, either by speciall commission from *Rome*, or by vertue of *Conseruatories*, then by them ouer their subiects. And Fathers were elected to frame the Articles concerning this matter. The Presidents, considering the Popes instruction to auoid dangerous contentions among the Diuines, & their vnintelligible

telligible disputes, in which they grow bitter, and also their confusion in speaking, they gaue out the Articles framed, which they were to begin to handle on Tuesday after dinner, and there added the manner and order to bee held in the Congregations, much limited, which did compell them to speake soberly. The Articles were 10. drawen from the doctrine of the Zuinglians, and Lutherans. 1. That in the Eucharist the Bodie, Blood, and Diuinitie of CHRIST is not truely, but as in a signe. 2. That CHRIST is not giuen to bee eaten Sacramentally, but spiritually, and by faith. 3. That in the Eucharist there is the blood and bodie of CHRIST, but together with the substance of the Bread and Wine, so that there is no *Transubstantiation*, but an hypostaticall vnion of the humanity, and of the substances of the bread and wine; so that it may be truely said, this bread is the body of CHRIST, and this wine is the bloud of CHRIST. 4. That the Eucharist is onely for remission of sinnes. 5. That CHRIST ought not to bee worshipped in the Eucharist, nor honoured in feasts, nor carried in procession, nor to the sicke, and that the worshippers are truely Idolaters. 6. That the Eucharist ought not to bee saued, but spent, and distributed immediatly, and that he that doth not so, doth abuse this Sacrament, and that it is not lawfull for any to giue the Communion to himselfe. 7. That in the particles which remaine after the Communion, the body of our LORD doth not remaine, but onely while it is receiued, and neither before nor after. 8. That it is *de iure diuino*, to giue both kinds to the people and children, and that they sinne who force them to vse one onely. 9. That so much is not contained vnder one, as vnder both, neither doth he receiue so much who communicateth with one, as hee that doth communicate with both. 10. That onely faith is a sufficient preparation to receiue the Eucharist, neither is confession necessary, but free, especially to the learned; neither are men bound to communicate at Easter.

1551
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

Ten Articles concerning the Eucharist are proposed to be discussed by the Diuines

After these Articles a precept was added, in this forme. That the Diuines ought to confirme their opinions with the holy Scripture, Traditions of the Apostles, sacred and approoued Councels, and by the constitutions and authorities of the holy Fathers; that they ought to vse breuity, and auoid superfluous and vnprofitable questions, and peruerse contentions: That this shall be the order of speaking amongst them; first, those that are sent by the Pope are to speake, then those that are sent by the Emperour, and, in the third place, the Secular Diuines, according to the order of their promotions, and lastly the Regulars, according to the precedencie of their orders. And the Legate and Presidents, by the Apostolique authority granted them, gaue faculty and authority to the Diuines, who were to speake, to haue and reade all prohibited bookes, that they may finde out the truth, and confute and impugne false opinions. This order did not please the Italian Diuines; who said it was a nouity, and a condemning of schoole Diuinity, which, in all difficulties, vseth reason, and because it was not lawfull to treat as Saint *Thomas*, Saint *Bonauenture*, and other famous men did. The other doctrine, which is called positiue, and consisteth in collecting the sayings of the Scriptures and Fathers, was onely a faculty of the memory, and a paines in writing, and was old, but knowen to be vnsufficient, and vnprofitable

Who are prescribed an order how they shall proceed:

Which doth displease the Italian Diuines.

1551
Iulij 3. Charles 5.
Edvvard 6. Henry 2.

table by those Doctors, who, for these three hundred and fiftie yeeres, haue defended the Church, and that this was to yeelde the victory to the Lutherans. For when the point shall stand vpon variety of reading, and memorie, they will euer ouercome, in regard they know many tongues, and reade diuers Authours, whereunto hee that will bee a good Diuine can not apply himselfe, who must exercise his wit, and make himselfe able to weigh things, and not to number them. They complayned, that this was to shame themselues before the Dutch Diuines, who, beeing accustomed to contend with the Lutheranes, are exercised in this kinde of learning, which is not vsed in *Italy*; who, if they were to speake according to true Theologie, it would appeare they knew nothing: But the Presidents, being willing to please them, haue done this shame to the Italians. Though many complained hereof, yet it preuayled but little, because generally the Fathers desired to heare men speake with intelligible tearmes, not abstrusely, as in the matter of Iustification, and others already handled. And it is certaine, that this order did facilitate the expedition.

Opinions are deliuered concerning the articles.

In diuers congregations all the voyces, were conformable. For the first Article, that it should be condemned for hereticall, as formerly it had beene. In the second there were three opinions. Some said it was to be omitted, for that no heretique doth deny the sacramentall Communion. Others held it onely for suspected; and some would haue deliuered it in cleerer termes. The common opinion was, that the third was hereticall; but that it was not fit to condemne, or speake of it, because it was an opinion inuented by *Robertus Tuicienſis*, more then foure hundred yeeres since, and neuer followed by any; therefore to speake of it, would (contrary to the precept of the wise man) mooue the euill, which, being quiet, hurted not. They added, that the Councell was assembled against the moderne heresies, and therefore that they were not to take paines in the old. Concerning the fourth article, there were diuers opinions. Some said, that the word, onely, being taken away, the opinion was Catholique, to say that the Eucharist is for the remission of sinnes; and that word was not put by any of the heretiques; and therefore they thought this article might be omitted. Some said it was hereticall, though the word onely were remooued, because the Sacrament of the Eucharist is not instituted for the remission of sinnes. In the fift, all agreed, and many amplifications were vsed to perswade the worship, and many new waies proposed to enlarge it, as the deuotion of euery one had found out. Likewise they all agreed in the sixt, except in the last part, that is, that it is not lawfull to giue the Communion to himselfe. Some said, that it being vnderstood of the Laiques, it was Catholique, and therefore it must be expressed, that it is to be condemned onely in regard of the Priests. Others said, that neither in regard of these it was to be condemned for hereticall, because in the sixt Councell, the hundred and one chapter, it was not condemned. Others would, that, for the Laiques also, the case of necessity should bee excluded. In the seuenth, all powred themselues out into inuectiues against the moderne Protestants, as inuentors of a wicked opinion, neuer heard of before in the Church. Vpon the eight al made long discourses, though all to the same purpose. Their principall reasons to condemne

it

it were, becauſe our Sauiour in the foure and twentieth of Saint *Luke*, did bleſſe the bread onely to the two Diſciples: and becauſe, in the Lords Prayer, wee aske our dayly bread; and becauſe, in the Actes of the Apoſtles, in the ſecond, and twentieth Chapters, Bread onely is ſpoken of, and Saint *Paul* in the ſhip, in the ſeuen and twentieth, bleſſed nothing but the Bread. Authorities of the ancient Doctors, and ſome examples of the Fathers were brought; but they grounded themſelues principally vpon the Councell of *Conſtance*; and the cuſtome of the Church, as alſo vpon diuers figures of the Olde Teſtament, and drew many prophecies alſo to this ſence. And, concerning the children, all agreed that perhaps it might formerly be done by ſome particular man, but was, by all others, knowne to bee an errour. In the nineth Article, the firſt part, that as much is not contained vnder one *Species* as vnder both, was thought to bee hereticall, by the Dutch Diuines; but the Italians ſayde it muſt bee diſtinguiſhed, before it could be condemned. For if it were vnderſtood in reſpect of the vertue of the conſecration, it is cleare that vnder the bread there is the bodie onely, and vnder the wine, the blood onely; but by conſequence, which the Diuines call *Concomitancie*, vnder the bread there is the blood, ſoule, and diuinitie, and vnder the wine, there is the bodie, and the other things; and therefore it is not to bee condemned in ſo generall termes. But for the ſecond, that as much is receiued by one as by both, there was a difference; for many did thinke, that although no more of the Sacrament, yet more grace was receiued: ſo that they did deſire a declaration heerein. In the tenth ſome would haue the firſt part expounded of dead faith; becauſe there is no doubt but that a liuely faith is ſufficient. For the neceſſitie of Confeſſion, the Dominicans conſidered, that many learned and holy Catholikes held that opinion: ſo that to condemne that would bee to condemne them. Others propoſed, for a temper, that it ſhould not bee condemned as hereticall, but as pernicious. Some would haue this condition added, if there were commoditie for a Confeſſor. The laſt part, for communicating at Eaſter, it not being commanded by the Law of GOD, but by the Church onely, the common opinion was, that it ought not to bee condemned for hereticall, it being a thing not heard of, that one ſhould bee condemned of hereſie, for not approouing a particular humane precept. Many Diuines did propoſe another Article alſo, taken out of the writings of *Luther*, which was neceſſarie to condemne. And it was this: that although there was a neceſſitie to recite the wordes of CHRIST, yet they are not the cauſe of the preſence of CHRIST in the Sacrament, but the cauſe is, the faith of him who receiueth it.

1551
IVLIVS 3.
CHARLES 5.
EDWARD 6.
HENRY 2.

After all the Diuines had ſpoken, the deputed Fathers did collect ſeuen *Anathematiſmes*, out of their opinions, which being propoſed in the generall Congregation, it was firſt of all conſidered, that it was not fit to paſſe ouer the matter with *Anathematiſmes* onely; that this was not to teach, but onely to confirme; that the ancient Councells had not done ſo, which alwayes had expounded the Catholike opinion, and then condemned the contrarie; that the ſame ſucceeded well to this Councell, in the matter of Iuſtification; and although it was forced, in the Seſſion of the Sacraments, to change this courſe, for vrgent reſpects, yet that was rather to

Out of which 7 *Anathematiſmes* are compoſed.

1551
IVLIVS 3.
CHARLES 5.
EDWARD 6.
HENRY 2.

bee imitated which was then done by reason, then that which was after changed by necessitie. This opinion was cherished by the Italian Diuines, who saw there was but one way to regaine their reputation lost. For as the Dutch and Flemish Diuines were of abilitie to prooue the conclusions by authorities, so to expound them, and finde their causes, there was neede of Schoole Diuinitie, in which themselues were well seene. This opinion did preuaile; and order was giuen, that the Heads of doctrine should bee framed, and Fathers deputed to see it done. The Heads were reduced to the number of eight. Of the Reall presence. Of the Institution. Of the excellencie. Of Transubstantiation. Of worship. Of preparation to receiue the Sacrament. Of the vse of the Cup, in the Communion of the Laitie. Of the Communion of Children. It was proposed also to make a collection of the abuses which did occurre, and to adde the remedies. Then, in that Congregation, and some of those that followed, the Fathers began to speake their opinion concerning the seuen *Anathematismes*: wherein nothing remarkeable was saide, but that, in condemning those who confessed not the reall presence of the Lords body, many desired that the Canon should bee more fat and pregnant (for so their wordes were) that, in the Eucharist, there is the bodie of IESVS CHRIST, the same which was borne of the *Virgin*, did suffer on the Crosse, was buried, raysed, and ascended into heauen, sitteth on the right hand of GOD, and shall come to iudgement. And some of them called to minde, that there wanted one very important point, that is, to declare, that the Minister of this Sacrament is the Priest, lawfully ordained. Which they did, because *Luther* and his followers do often say, that euery Christian may do it, euen a woman.

Eight heads of doctrine are proposed to be discussed.

But the Earle of *Montfort*, perceiuing that they treated of a matter much controuersed, especially of the Communion of the Cup, which was the most palpable, popular, and best vnderstood by all, hee thought that, if that were determined, the Protestants would neuer bee induced to come to the Councell, and all the labour would bee in vaine. And hauing imparted this to his Colleagues, and the Ambassadors of *Ferdinand*, they went altogether to the Presidents, to whom, when they had shewed what paines *Cæsar* had taken, both in warre, and in the negotiation to make the Protestants submit to the Councell, which they would neuer doe if they went not thither, they shewed that they ought to apply themselues principally to this; and, to that ende, the Emperour had giuen them a Safe conduct. But they were not contented with it, alleadging that it was decreed in the Councell of *Constance*, and really executed, that the Councell is not bound by the Safe conduct of any, whatsoeuer he be; and therefore they required one from the Synode, which was promised to them by *Cæsar*, who gaue charge to them his Ambassadours to obtaine it of the Councell. Whereunto the Legate making a very complementall answere, and referring himselfe to the Session which should bee held, to gaine time, that hee might giue an account thereof to *Rome*, the Earle added, that for the same cause, he thought it not fit, that, before their comming, the controuersed points of the *Eucharist* should bee handled; that there wanted not matters of reformation to be treated on, or others, in which there was no difference. The Legate answe-

The Ambassadors of the Emperor and *Ferdinand* dissuade the discussion of the Communion vnder one kinde.

anſwered, that it was reſolued long agoe to handle the *Euchariſt*; neither could it be altered, becauſe it was concluded before, that the Decrees of faith and reformation ſhould goe hand in hand, and that the matter of the *Euchariſt* did follow that of reformation, which was handled laſt, before they went to *Bolonia*. But hee ſaid that this was more controuerſed with the Zinglian Suiſſes, then with the Proteſtants, who are not Sacramentaries, as thoſe. The Count ſpake of the Communion of the Cup, and ſaid, that if that point were decided againſt them, which is vnderſtood by all the people, and a thing whereon they ſtand moſt, it was impoſsible to reduce them. That, *Ceſar* alſo in the Decree of the *Inter-religion*, was forced to yeeld in this; and therefore deſired that they would be pleaſed to deferre it vntill the comming of the Proteſtants. The Legate did not refuſe, but paſſed it ouer with generall and vnconcluding wordes, that hee might firſt vnderſtand the Popes minde, vnto whom he gaue an account of whatſoeuer was handled by the Diuines, and of the *Anathematiſmes* framed, and of that which was diſcourſed in matter of reformation (whereof wee will ſpeake hereafter) and then hee gaue aduiſe of the two requeſts of the Emperours Ambaſſadours, deſiring an anſwere.

1551
Iulivs 3.
Charles 5.
Edward 6.
Henry 8.

The Legate giueth the Pope an account of all.

The Pope put theſe things in conſultation; and, for the ſafe conduct, found varietie of opinions. Some would not haue it giuen, alleadging that it was neuer done but by the Councell of *Baſil*, which was not to bee imitated in any thing; and that it was a great preiudice to binde themſelues to rebels, though any thing might bee endured if there were hope to gaine them; but there was none at all: yea, rather, in ſtead of that, there was reaſon to feare that ſome would bee peruerted, as *Vergerius* was, though not wholly, yet in ſome part; from which contagion the moſt principall Prelates, and the moſt obliged to the holy *Sea*, haue not been exempted. On the other ſide it was ſayd, that, not out of hope to conuert, but to leaue them without excuſe, it was fit to giue them all ſatisfaction; but the rather, becauſe the Emperour for his owne intereſts, had made greater inſtance, whom it was neceſſary to pleaſe now, becauſe, *France* being aliened, they were wholly to depend on him: and it was better to preuent, and doe that willingly, which of neceſſitie was to bee done. And, concerning the preiudices, it might bee made in ſuch a forme, that it ſhould not binde at all, or very little. Firſt, by not deſcending to name the Proteſtants, but in generall, the Eccleſiaſtickes and Seculars of the German Nation, of euery condition. For ſo; vnder the generall wordes, it may bee ſaid they are comprehended, or, that it is vnderſtood of the Catholikes onely, and not of them, alleadging that, for them, a ſpecificall and expreſſe mention was neceſſary. Then the Synod may grant a ſafe Conduct for it ſelfe, and the Popes authoritie will bee reſerued. Then Iudges, concerning faults committed, may bee deputed, and the election left to them, to auoyd ſuſpicion. So that vigor of diſcipline, and authoritie of puniſhing would bee retained, and no ſhew made of yeelding or remitting any thing. This opinion preuailed with the Pope, who, according to that forme, made a draught of the ſafe Conduct, and anſwered the Legate, commending his wiſedome in the anſweres hee had giuen, reſoluing that the ſafe Conduct ſhould bee granted in the forme he ſent him, and that the mat-

Who cauſeth a conſultation to be held.

And anſwereth thus.

1551
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRIE 2.

ter of the Cup ſhould bee deferred, and the Proteſtants expected, but notaboue three moneths, or little more, not beeing idle in the meane while, but making a Seſſion betweene, to treate of Penance, which hee would not haue deferred aboue fourtie dayes, or little more. Hee aduertiſed them alſo, that the Canons, in matter of the *Euchariſt*, were too full, and that it were better to diuide them.

While they conſulted in *Rome*, in *Trent* they went on to handle the points of doctrine; wherein they proceeded as eaſily, as before, in diſcuſſing the Articles. But when they came to expreſſe the manner of exiſtence, how CHRIST is in the Sacrament, and the *Tranſubſtantiation*, how the Bodie of CHRIST is made of the Bread, and the Blood of the Wine, in could not bee treated on without contention betweene the two Scooles, Dominican, and Franciſcan; which did much trouble the Fathers, by the ſubtiltie and ſmall fruit thereof, themſelues not knowing how to explicate their owne meaning. In ſumme, the Dominicans would not haue it ſaid, that Chriſt was in the *Euchariſt*, becauſe he went thither from another place where he was before, but, becauſe the ſubſtace of the bread is turned into his body, the body being in the place where the bread was, without going thither; & becauſe al the ſubſtance of the bread is turned into all the ſubſtance of the body, that is, the matter of the Bread into the matter of the Bodie, & the forme into the form, it is properly called *Tranſubſtantiation*. And therefore there are two ſorts of the exiſtence of CHRIST our Lord, both of them reall, true, and ſubſtantiall; one, as hee is in heauen, whither hee aſcended, when he parted from the earth, where hee firſt conuerſed; the other, as hee is in the Sacrament, in which he is, becauſe hee is where the ſubſtances of the bread and wine, conuerted into him, were firſt. The firſt exiſtence is called naturall, becauſe it agreeth to all bodies; the ſecond, as it is ſingular, ſo it cannot be expreſſed with any name agreeing to others, nor can bee called Sacramentall, which were as much as to ſay, that it was not there really, but as in a ſigne, the Sacrament being nothing but an holy ſigne, except by ſacramentall one would vnderſtand, a reall manner, proper to this Sacrament onely. The Franciſcans would haue it ſaid, that one body may, by Gods omnipotencie, bee truely and ſubſtantially in many places, and when it doeth get a new place, it is in it, becauſe it goeth thither, not by a ſucceſſiue mutation, as when it leaueth the firſt place to get the ſecond, but in an inſtant, in which it gaineth the ſecond, without loſing the firſt; and that God hath ſo ordained, that where the bodie of CHRIST is, there ſhould remaine no other ſubſtance, not by an nihilation, becauſe the ſubſtance of CHRIST ſucceedeth in place of it, and therefore it is truely called *Tranſubſtantiation*, not becauſe the one ſubſtance is made of the other, as the Dominicans ſay, but for that the one doth ſucceede the other. The manner of CHRISTS beeing in heauen and in the Sacrament differeth not in ſubſtance, but in quantitie onely: becauſe in heauen the magnitude of the body poſſeſſeth as much ſpace as is proportionable to it, and it is ſubſtantially in the Sacrament without poſſeſsing any place. Therefore both ſorts are true, reall, and ſubſtantiall, and, in regard of the ſubſtance, naturall alſo: in reſpect of the quantitie the exiſtence in heauen is naturall, and in the Sacrament miraculous, differing in this onely, that in heauen

A contention on ariſeth betweene the Franciſcans and Dominicans concerning the reall preſence.

heauen the quantity is truely a quantity, and in the Sacrament, hath the condition of a ſubſtance. Either party was ſo wedded to their owne opinion, that they affirmed it to bee plaine, cleere, and intelligible to all, and oppoſed infinite abſurdities againſt the other. The Elector of *Cullen*, who, with *Iohannes Groperus*, was aſſiduous at the diſputations, to vnderſtand this matter, in that which one party oppoſed againſt the other, he gaue a reaſon to them both, in that which either of them affirmed, he ſaid, he deſired ſome probability, and that they ſhould ſpeake as vnderſtanding the matter, not, as they ſeemed to doe, by cuſtome and habite of the Schooles. Diuers draughts were made by both ſides, to expreſſe theſe miſteries, and ſome were compoſed by taking ſome thing from either party. But none gaue ſatisfaction, eſpecially to the *Nuncio Verona*, who was the principall Superintendant in this matter. It was determined in the generall Congregation, to vſe as few words as was poſſible, and to make an expreſſion ſo vniuerſall, as might bee accommodated to the meaning of both parties: and the care heereof was committed to ſome Fathers and Theologues, with the ſuperintendencie of the foreſaid *Nuncio*.

1551
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY. 2.

In the end of this Congregation, it was propoſed that a collection ſhould be made, of the abuſes occurring in this matter, with remedies againſt them, and, in the Congregations following, many were recounted. That in ſome particular Churches, the Sacrament is not kept, and in others, is kept very vndecently. That, when it is carried in the ſtreet, many doe not kneele to it, and ſome ſcarce vouchſafe to put off their caps. That, in ſome Churches, it is kept ſo long, that it becommeth putrified. That, in adminiſtring the holy communion, great indecencie is vſed, by ſome pariſh Prieſts, who haue not ſo much as a cloath, for him that communicateth, to hold in his hand. That, (which is of moſt importance) the communicants doe not know what they receiue, nor are inſtructed of the dignity, and fruit of this Sacrament. That Concubinaries, Concubines, and other enourmous ſinners, & many who know not the *Pater noſter*, and *Aue Maria*, are admitted to the Communion. That money is demanded at the Communion in the name of almes, and, which is worſe, there is an vſe in *Rome*, that he who is to communicate, doth hold a burning candell in his hand, with money ſticking in it, which, together with the candle, after the Communion, remayneth to the Prieſt, and he that beareth not a candle is not admitted to the Communion. To remedy part of theſe, and other abuſes, fiue Canons were made, which had a faire proheme. In which it was conſtituted, that the Sacrament beeing lifted vp on the Altar, or caried by the way, euery one ſhould kneele, and vncouer his head. That the Sacrament ſhould be kept in euery Pariſh Church, and renewed euery fifteene dayes, and haue a lampe burning before it, night and day. That it bee carried to the ſicke, by the Prieſt, in an honourable habite, and alwayes with light. That the Curates teach the people, what grace is receiued in this Sacrament, and execute againſt them, the penalties of the Chapt. *Omnis vtriuſque ſexus*. That the Ordinaries ſhould haue care of the execution, chaſtiſing the tranſgreſſours with arbitrary puniſhmens, beſides thoſe which are ſet downe by *Innocentius* the third, in the Chapt. *Statuimus*, and by *Honorius* the third, in the Chapt. *Sane*.

The abuſes occurring therein are noted.

And fiue Canons made to redreſſe them.

1551
Iulius 3.
Charles 5.
Edvvard 6.
Henry 2.

The reformation was handled, at the ſame time, when there was diſputation in matter of faith, but by other Congregations, in which the Canoniſts did aſſiſt; which diſcuſſions, not to interrupt the matter, I haue brought all together to this place. And becauſe the purpoſe was to reforme the Epiſcopall iuriſdiction, this place requireth (for the vnderſtanding of what will bee ſaide vpon this, and many other occaſions hereafter) that the originall ſhould bee declared, and how, beeing mounted to ſo great power, it became ſuſpected to Princes, and terrible to the people. Christ hauing commanded his Apoſtles to preach the Goſpel, and adminiſter the Sacraments, hee left alſo to them, in perſon of all the faithfull, this principall precept, To loue one another, charging them to make peace, betweene thoſe that diſſented, and, for the laſt remedy, giuing the care thereof to the body of the Church, promiſing it ſhould bee bound and looſed in heauen, whatſoeuer they did bind and looſe on earth, and whatſoeuer two did aske with a common conſent, ſhould bee granted by the Father. In this charitable office to giue ſatisfaction to the offended, and pardon to the offendor, the Primitiue Church was alwayes exerciſed. And, in conformity of this, Saint *Paul* ordayned, that brothers, hauing ciuill ſuites one againſt another, ſhould not goe to the Tribunals of the Infidels, but that wiſe men ſhould be appointed to iudge the differences; and this was a kind of ciuill Iudgement, as the other had a ſimilitude of a criminall; but were both ſo different from the iudgements of the world, that as theſe are executed by power of the Iudge, who enforceth ſubmiſſion, ſo thoſe only by the will of the guilty, to receiue them, who refuſing them, the Eccleſiaſticall Iudge remaineth without execution, and hath no power, but to foreſhew the iudgement of God, which, according to his omnipotent good pleaſure, will follow, in this life, or the next.

The Reformation is handled at the ſame time with the Doctrine, but in diuers Congregations.

A diſcourſe of the Authour concerning Epiſcopall Iuriſdiction.

And indeed, the Eccleſiaſticall iudgement did deſerue the name of charity, in regard that it only did induce the guilty to ſubmit, and the Church to iudge with ſuch ſincerity, that neither in the one any bad effect could haue place, nor iuſt complaint in the other; and the exceſſe of charity in correcting, did make the corrector to feele greater paine then the corrected; ſo that, in the Church, no puniſhment was impoſed, without great lamentation of the multitude, and greater of the better ſort. And this was the cauſe why to correct, was called to *lament*. So Saint *Paul*, rebuking the Corinthians, for not chaſtiſing the inceſtuous, ſaid, *You haue not lamented to ſeparate ſuch a tranſgreſſor from you*. And in another Epiſtle, I feare that when I come vnto you, I ſhall not finde you ſuch as I deſire, but in contentions and tumults, and that at my comming, I ſhall *lament* many of thoſe who haue ſinned before. The iudgement of the Church (as is neceſſary in euery multitude) was fit that it ſhould bee conducted by one, who ſhould preſide and guide the action, propoſe the matters, and collect the points to bee conſulted on. This care, due to the moſt principall and worthy perſon, was alwayes committed to the Biſhop. And where the Churches were many, the propoſitions and deliberations were made by the Biſhop, firſt in the Colledge of the Prieſts and Deacons, which they called the Presbyterie, and there were ripened, to receiue afterwards the laſt reſolution in the generall Congrega-

Congregation of the Church. This forme was ſtill on foote in the yeere two hundred and fiftie, and is plainely ſeene by the Epiſtles of *Cyprian*, who in the matter concerning thoſe who did eate of meates offered to Idols, and ſubſcribe to the Religion of the Gentiles, writeth to the Presbytery, that hee doth not thinke to doe any thing without their counſell, and conſent of the people: and writeth to the people, that, at his returne, hee will examine the cauſes, and merits thereof, in their preſence, and vnder their iudgement; and he wrote to thoſe Prieſts, who, of their owne braine, had reconciled ſome, that they ſhould giue an account to the people.

1551
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

The goodneſſe and charitie of the Biſhops, made their opinion for the moſt part to be followed, and, by little and little, was cauſe that the Church, charitie waxing could, not regarding the charge laid vpon them by CHRIST, did leaue the care to the Biſhop; and ambition, a witty paſſion, which doth inſinuate it ſelfe in the ſhew of vertue, did cauſe it to bee readily embraced. But the principall cauſe of the change was the ceaſing of perſecutions. For then the Biſhops did erect as it were a tribunall, which was much frequented; becauſe as temporall commodities, ſo ſuites did encreaſe. The iudgement, though it were not as the former, in regard of the forme, to determine all by the opinion of the Church, yet it was of the ſame ſincerity. Whereupon *Conſtantine*, ſeeing how profitable it was to determine cauſes, and that, by the authority of Religion, captious actions were diſcouered, which the Iudges could not penetrate, made a law that there ſhould lye no appeale from the ſentences of Biſhops, which ſhould be executed by the ſecular Iudges: and if, in a cauſe depending before a ſecular tribunall, in any ſtate thereof, either of the parties, though the other contradict, ſhall demaund the Epiſcopall iudgement, the cauſe ſhall be immediatly remitted vnto him.

Heere the tribunall of the Biſhop, began to be a common pleading place, hauing execution by the miniſtery of the Magiſtrate, and to gaine the name of Epiſcopall iuriſdiction, Epiſcopall audience, and ſuch like. The Emperor *Valence* did enlarge it, who, in the yeere 365. gaue the Biſhops the care ouer all the prizes of vendible things. This iudiciall negotiation pleaſed not the good Biſhops. *Poſsidonius* doth recount that *Auſtin*, being employed herein, ſometimes vntill dinner time, ſome times longer, was wont to ſay, that it was a trouble, and did diuert him from the things proper vnto him; and himſelfe writeth, that it was to leaue things profitable, and to attend things tumultuous and perplexed. And Saint *Paul* did not take it to himſelfe, as being not fit for a Preacher, but would haue it giuen to others. Afterwards ſome Biſhops, beginning to abuſe the authoritie giuen them by the law of *Conſtantine*, that law was, ſeuenty yeeres after, reuoked by *Arcadius* and *Honorius*, and an ordination made that they ſhould iudge cauſes of religion, and not ciuill, except both parties did conſent, and declared that they ſhould not be thought to haue a Court. Which law being not much obſerued in *Rome*, in regard of the great power of the Biſhop, *Valentinian* being in the Citie, in that yeare 452. did renew it, and made it to be put in execution. But a little after, ſome part of the power taken away was reſtored by the Princes that

followed;

followed; so that *Iustinian* did establish vnto them a Court, and audience, and assigned to them the causes of Religion, the Ecclesiastic all faults of the Clergie, & diuers voluntary iurisdictions also ouer the Laitie. By these degrees the charitable correction, instituted by CHRIST, did degenerate into domination, and made Christians loose their ancient reuerence and obedience. It is denied in words, that Ecclesiasticall iurisdiction is dominion, as is the secular, yet one knoweth not how to put a difference betweene them. But S. *Paul* did put it, when he wrote to *Timothie*, and repeated it to *Titus*, that a Bishop should not be greedy of gaine, nor a striker. Now, on the contrary, they make men pay for processes, and imprison the parties, as is done in the secular Court.

1551
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRIE 2.

But the Westerne Countries being separated, and an Empire made of *Italy*, *France*, and *Germanie*, and a kingdome of *Spaine*, in these foure Prouinces the Bishops, for the most part, were made Counsellors of the Prince, which, by the mixture of spirituall and temporall charges, caused their iurisdiction to increase exceedingly. Before 200. yeeres were past, they pretended absolutely all iudicature, criminall and ciuill, ouer the Cleargie, and, in some things, ouer the Laitie also, pretending that the cause was Ecclesiasticall. Besides this kinde of iudicature, they inuented another, which they called mixt, in which the Magistrate or the Bishop might proceed against the secular, which of them tooke the cause in hand first; whereby, in regard of their exquisite diligence, neuer leauing place to the secular, they appropriated all vnto themselues; and those which remained out of so great a number, were comprehended in the end by a generall rule, established by them, as a ground of faith, that euery cause is deuolued to the Ecclesiasticall Court, if the Magistrate will not, or neglect to doe iustice. But if the pretensions of the Cleargie were contained within these bounds, the state of Christian Common wealthes were tollerable. The people and Princes, when they saw it mount to these vnsupportable termes, might with Lawes and Statutes haue brought the iudgements to a sufferable forme, as formerly vpon occasion hath beene done. But that which put Christendome vnder the yoke, tooke from it, in the end, all meanes to shake it from the necke. For after the yeere 1050. all the causes of the Cleargy being appropriated to the Bishops, and very many of the Laitie, vnder title of spiritualitie, and almost all the rest vnder the name of a mixt iudicature, and placing themselues aboue secular Magistrates, vpon pretence of iustice denied, they came to say, that the Bishop had that power to iudge, not by the grant or conniuency of Princes, or by the will of the people, or by custome, but that it was essentiall to the Episcopall dignity, and giuen to it by CHRIST.

And though the lawes of the Emperours remaine in the *Codes* of *Theodosius* and *Iustinian*, in the *Capitulars* of *Charles* the great, and *Lewis* the *Debonaere*, and others of later Princes of the East and West, which doe all shew plainely, how, when, and by whom this power hath beene graunted, and all Stories, as well Ecclesiasticall as prophane, doe agree in declaring the same grants and customes, adding the reasons and causes, yet so notorious a truth hath not had such power, but that a contrary affirmation onely, without any proofe, hath beene able to ouercome it; which the Canonists haue so far maintained,

maintained, as to publiſh thoſe for heretikes who doe not ſuffer themſelues to bee hoodwinckt. And not ſtaying heere, they adde, that neither the Magiſtrate, nor the Prince himſelfe, can meddle in any of thoſe cauſes which the Clergie hath appropriated, becauſe they are ſpirituall, and of ſpirituall things the Laiques are vncapeable. Yet the light of trueth was not ſo put out, but that learned and godly men, in thoſe firſt times, did oppoſe that doctrine, ſhewing that both the Premiſes of that diſcourſe were falſe, & that the Maior, that is, that the Laiques are vncapeable of ſpiritual things, was abſurd, and impious. For they are adopted by the heauenly Father, called the ſonnes of God, brothers of CHRIST, partakers of the Kingdome of heauen, made worthy of Diuine grace, of Baptiſme, and of the Communion of the fleſh of CHRIST. What other ſpirituall things are there beſide theſe? And if there were, how can hee, who is partaker of theſe which are the chiefeſt, bee ſaide abſolutely, in generall termes, to be vncapeable of ſpirituall things? But they ſaide that the Minor was falſe alſo, that cauſes appropriated to the Epiſcopall iudicature are ſpirituall. For all are either delicts or contracts: which, conſidering the qualities, giuen by the holy Scripture to ſpirituall things, are as farre from being ſuch, as earth is from heauen. But the oppoſition of the better part could not ouercome the greater, and ſo, vpon the ſpirituall power, giuen by CHRIST to the Church, to binde and looſe, and vpon the inſtitution of Saint *Paul*, to compoſe contentions betweene Chriſtians, without going to the tribunall of Infidels, in much time, and by many degrees, a temporall tribunall hath beene built, more remarkeable then euer was any in the world, and in the midſt of euery Ciuill gouernement another inſtituted, not depending on the publike, which is ſuch a kinde of Common-wealth, as not one of as many as haue written of gouernements would haue imagined could ſubſiſt. I will omit to ſpeake how the paines of ſo many, beſides the obtaining of the wiſhed end, to make themſelues independent of the publike, haue, before they were aware, rayſed an Empire, there being a more difficult opinion ſprung vp, taking roote with admirable progreſſe, which giueth to the Pope of *Rome*, as much at once, as hath, in 1300. yeeres, beene gayned by ſo many Biſhops, by ſuch extraordinarie meanes, not making the power to binde and looſe the foundation of iuriſdiction, but the power of feeding, and ſo affirming, that all iuriſdiction was giuen the Pope by CHRIST, in the perſon of *Peter*, when hee ſaide to him, *Feede my ſheepe.* For ſo it will be ſaid in the third reduction of the Councell, when great tumults were rayſed by this opinion, which ſhall then be recounted. But by that which hath been now declared, euery one may, of himſelfe, conceiue what remedies were neceſſarie, to giue a tolerable forme to a matter, broken out into ſo great corruptions, and compare them with theſe that were propoſed.

1551

IVLIVS 3. VI CHARLES 5.

EDVVARD 6. HENRY 2.

In *Trent* there were two defects conſidered; that is, that the charitie of the ſuperiours was turned into domination, and the obedience of the inferiours into complaints, ſubterfuges, and lamentations; and they firſt thought of prouiding, in ſome ſort, againſt them both. But in proſecuting the firſt, which is the fountaine from whence the ſecond is deriued, they vſed onely an exhortarie remedie to the Prelates, to take away domination, and reſtore

1551
Ivlivs 3.
Charles 5.
Edvvard 6.
Henry 2.

A discourse of *Iohannes Groperus* concerning Appeals.

ſtore charitie. And for the inferiours, many ſubterfuges beeing mentioned to delude iuſtice, three heads onely were taken; Appeales, abſolutorie graces, and complaints againſt the Iudges. *Iohannes Groperus*, who aſſiſted in that Councell as a Diuine and a Lawyer, ſpake honourably of *Appeales*, and ſayd, that while the heat of faith remained in the breſts of Chriſtians, *Appeales* were not heard of. But charitie in the Iudges waxing colde, and place beeing giuen to paſſion, they entred into the Church, for the ſame reaſons which brought them into the ſecular Courts, that is, for the eaſe of the oppreſſed. And as the firſt iudicatures belonged not to the Biſhop onely, but to him with the counſell of his Prieſts, ſo the *Appeale* was not deuolued vnto one man, but vnto another Congregation. But the Biſhops, taking away the Synods, did inſtitute Courts and officers, like the ſeculars. Neither did the miſchiefe ſtop there, but paſſed to greater abuſes then in the Secular Court. For there the firſt *Appeale* is onely to be immediate ſuperiour, neither is it lawfull to leape to the higheſt, nor permitted, in the articles of the cauſe to appeale from the Decrees of the Iudge which they call interlocutories, but it is neceſſary to expect the end. But in the Eccleſiaſticall Courts one may appeale from euery acte, which maketh the cauſes infinite, and immediatly to the higheſt Iudge, which carrieth them out of the Countreys, with great charges, and other intolerable miſchiefes. This hee ſayd hee did declare, to conclude, that if they would reforme, this matter, which is wholly corrupted, and doth not onely hinder reſidencie, as in the Congregations of ſo many worthy Doctours and Fathers was conſidered, but corrupteth the whole diſcipline, and is a grieuance, charge, and ſcandall to the people, it was fit to reduce it to its beginning, or as neere to it as might bee, ſetting a perfect *Idea* before their eyes, and ayming at that, to come as nigh to it, as the corruption of the matter doth comport. That the well inſtituted monaſticall religions haue forbidden all appeale; and this is the true remedie. Hee that hath not been able to goe ſo high, hath moderated them, granting them within their order, and forbidding them without; which ſucceeding well, as appeareth, to keepe thoſe gouernements in order, it would worke the ſame effect in the publique gouernements of the Church, if the Appeales were confined within the ſame Prouince. And to effect this, and to bridle the malice of the litigants, it is ſufficient to reduce them to the form of the Comon lawes, forbidding the *Leap*, that is, to go to the higheſt without paſſing by the intermediate ſuperiours; and by forbidding *Appeales* from the Articles, or the interlocutory Decrees: with which prouiſions, the cauſes will not goe farre, will not bee drawen in length, will not cauſe exceſſiue charges, and other innumerable grieuances; and, that the ſentences may paſſe with ſincerity, to reſtore the Synodals, which are not ſubiect to ſo great corruptions, remouing thoſe officers by whom the vvorld is ſo much ſcandalized, becauſe it is not poſſible that *Germanie* ſhould endure them.

This opinion was not willingly heard, except by the Spaniards & Dutch men. But the Cardinal and the *Nuncio* of *Siponto*, were diſpleaſed that he went ſo farre. For this was to take away, not onely the profit of the Court, but the honour alſo; no cauſe would goe to *Rome*, and by degrees, euery one would forget

forget the ſuperiority of the Pope, it beeing an ordinary thing with men, not to eſteeme that Superiour, whoſe authority is not feared, or cannot bee vſed. Therefore they cauſed *Iohn Baptiſta Caſtellus*, of *Bolonia*, to ſpeake in the next Congregation, in the ſame matter, in ſuch ſort, as that, without contradicting *Groperus*, the appearance, which the reaſons alleadged by him did make, ſhould bee darkened. Hee beganne with the prayſes of the ancient Church, yet dextrouſly touching, that, in thoſe ſame times, there were imperfections, in ſome part greater, then in the preſent. Hee thanked GOD that the Church was not oppreſſed, as when the Arians did ſcarce ſuffer it to appeare; and ſaid, that antiquity ought not ſo to bee commended, as that ſome thing in the latter ages may not bee reputed better. Thoſe who praiſe the Synodall iudicature, haue not ſeene their defects; the infinite length in the diſpatches, the impediments in the diligent examination, the difficulty to informe ſo many, the ſeditions made by the factious: it is to bee beleeued that they haue beene intermitted, becauſe they did not ſucceed well, and that the Courts and Officers haue beene brought in, to remedy thoſe diſorders. It can not be denied, but theſe haue ſome that deſerue to be prouided againſt; which is fit to doe, without reſtoring that which was aboliſhed, becauſe it was intolerable. In *Appeales*, the cuſtome was to paſſe by the intermediate Superiours, and not, at the firſt, to leap to the higheſt; which was taken away, becauſe the Gouernours of Prouinces and Countries, were become Tyrants ouer the Church, and, for a remedy, all buſineſſes were carried to *Rome*. This hath its inconueniences, the great diſtance of place, and charge; but they are more tolerable then oppreſſion. He that would reduce the firſt cuſtome, ſhould finde that, in ſtead of redreſſing one euill, hee ſhould cauſe many, and euery one greater. But aboue all it muſt be conſidered, that the ſame publike thing muſt not alwayes bee ordered in one manner, but as time hath mutations, ſo it is fit to change the gouernement. The ancient manner of gouerning will not bee profitable, except the ancient ſtate of the Church doe returne. Hee that, ſeeing how children are gouerned, and how the liberty of eating and drinking any thing, at any time, is cauſe of health and ſtrength, ſhould thinke an old man might doe ſo, would find himſelfe much deceiued. The Churches were little, compaſſed with Pagans, vnited amongſt themſelues, as beeing neere the enemy; now they are great, without any oppoſite to keepe them in their duety; whereupon the common things are neglected, and it is neceſſary they ſhould be cared for by one. If the cauſes did continue in euery Prouince, within a few yeeres there would bee ſuch diuerſitie, that one would bee contrary to another, and they would not ſeeme to be of the ſame faith and religion. The Popes of *Rome* tooke not vpon them in ancient times many parts of gouernement, when they ſaw it was good, but reſerued it to themſelues when it was abuſed by others. Many ſucceeding Popes were of holy life, and good intenſion, who would haue reſtored it, but that they ſaw that, in a corrupt matter, it could not be well vſed. His concluſion was, that to preſerue the vnity of the Church, it was neceſſary to leaue things as they are.

1551
Iulius 3.
Charles 5.
Edward 6.
Henry 2.

In oppoſition whereof, *Iohannes Baptiſta Caſtellus* maketh another diſcourſe by direction of the Preſidents

Neither did this pleaſe the Italian Prelats, who would haue the Popes authority preſerued, yet withall, ſome thing reſtored to themſelues, eſpecially

being

1551
IVLIVS 3.
CHARLES 5.
EDWARD 6
HENRY 2.

being to reſide; therefore they came to moderate the buſineſſe. To reſtore Synodall iudicatures was reiected by almoſt all, becauſe it did diminiſh the Epiſcopall, and was too popular. To appeale by degrees, though it was maintained by many, yet it was excluded by pluralitie of voyces. To appeale from the definitiues alone, was accommodated with a limitation, that it ſhould be onely in criminall cauſes, others being left in the ſame ſtate, though perhaps they had more neede to be reformed. For proceeding againſt the perſons of the Biſhops, no man deſiring to facilitate the iudicature againſt himſelfe, the reſtoring of it to Parochiall Synods, vnto which it did formerly belong, was not ſpoken of, but they deſired to prouide that, it remaining in the Popes hands, it ſhould paſſe with greater dignitie of that order, moderating the commiſſions which came from *Rome*, by which they were forced to appeare, and ſubmit themſelues to perſons of an inferior ranke. And this was ſo earneſtly deſired by all, that it was neceſſary for the Legate to yeelde vnto it, though he was not pleaſed with any exaltation of the Biſhops, becauſe all was taken from the Pope which was giuen to them.

The Dutch Prelates complaine of the lawes of *Degradation.*

The Dutch Prelates did propoſe, that the lawes of the *Degradations* might be moderated, as being intolerable, and giuing much occaſion of complaint in *Germany*. For it being a pure ceremonie, which hindereth Iuſtice, and they hauing drſired a moderation, euer ſince the yeere 1522. in the one and thirtieth of the hundred grieuances, to ſee that the abuſe is continued, giueth matter of ſcandall to ſome, and of detraction to others.

A diſcourſe about *Degradation.*

The ancient vſe of the Church was, that if any Eccleſiaſticall perſon would returne to the ſecular ſtate, to the end it might not appeare that thoſe who were deputed to the miniſtery of the Church, ſhould ſerue the world, the Biſhops did vſe to take from him the Eccleſiaſticall degree; as in warre, to hold themſelues in more reputation, it was not graunted to a Souldier to returne to ciuill functions, and be ſubiect to the ciuill iudge, if he were not firſt bereaued of his militarie degree, which therefore was called *Degradation*, taking from him his girdle, and armes, as with thoſe he was created a Souldier. Therefore when any Cleargie man, either willingly, or by the lawes, was to returne to ſecular functions, or, for ſome faults, was made ſubiect to that Court, the Biſhops did take from him the degree, with the ſame ceremonies with the which he was inueſted, ſpoiling him of the habits, and taking out of his hand the inſtruments, by the aſſignation of which he was deputed to the miniſterie. Being apparelled iuſt as if he were to miniſter in his charge, he was to be ſtripped firſt of that, which was laſt in the ordination, and with contrary words to thoſe that were vſed in the promotion. And this was very vſuall in thoſe firſt times after *Conſtantine*, for three hundred yeeres. But about the yeere ſixe hundred, a cuſtome was brought in, not to permit Clergie-men of holy Order to returne to the world, and to others it was graunted to doe it at their pleaſure; whereupon, by little and little, the *Degradation* of the leſſer was wholy diſuſed, and that of the greater was reſtrained onely to this caſe, when they were to be made ſubiect to the ſecular Court. And *Iuſtinian*, regulating the iudicature of the Cleargie, after hee had ordained that, in Eccleſiaſticall delicts, they ſhould be chaſtized by the Biſhops, and in ſecular delicts, which

he

hee called Ciuill, by the publike Iudge, added that the punishment should not bee executed before the partie guiltie, were despoyled of his Priesthood by the Bishop. And after that criminall iudicature ouer the Clergie was granted to the Bishops, the Degradation remained onely when the punishment was death, which, in regard of the dignitie of their order, the Ecclesiastikes would not haue inflicted vpon a Clergie man. But, in cases of exorbitant wickednesse, it seemed that it could not be denied, without scandall; therefore they found a way to doe that indirectly, which directly they could not, saying, it was iust that the offences of the Clergie should bee punished with deserued death, but the Degradation was first necessarie: which they made so difficult, by circumstances of solemnitie, that very seldome it could bee done. And this procured a greater reuerence of the Clericall Order, with whose blood iustice had nothing to doe, if so much solemnitie did not precede. It was iustly ordered that the Bishops should not doe it but in publike, apparrelled with the holy vestements, and, which more imported, with the assistance of twelue Bishops, in the Degradation of a Bishop, of sixe, in the Degradation of a Priest, of three, in the Degradation of a Deacon, who were to bee present in their Pontificall ornaments. And it seeming strange that a Bishop, who might giue a degree without companie, could not take it away alone, Pope *Innocentius* the third remooued the marueile, with a maxime, which hath not much probabilitie, saying, that temporall buildings are hardly erected, and easily pulled downe, but spirituall contrarily, are easily built, and hardly destroyed. The vulgar held the Degradation for a necessarie thing, and, when it happened, ran to it, with vnspeakeable frequencie. But learned men doe know the bottome of it. For hauing determined, that in the collation of the Order, a signe is imprinted in the soule, called a Character, which is impossible to blot out, or remooue by Degradation, this remaineth a pure Ceremonie, performed for reputation onely. In *Germanie*, there being but few Bishops, it could not bee done without immense charge, to bring so many into one place. And those Dutch Prelates, who were in the Councell, for the most part Princes, did know more then others, how necessarie it is, for examples sake, to punish, with death, the wickednesse of Priests: wherefore they desired that prouision should be made therein. This particular was much discussed, and, in the end, it was resolued not to change the Ceremonie by any meanes, but to finde a temper, that the difficultie, and the cost might be moderated.

1551
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

The Legat, though euery weeke he had giuen an account to the Pope of all occurrences, yet he was willling to establish in Congregation the draughts of the Decrees, that he might send a copie of them, and receiue an answere before the Session. Wherefore, the generall Congregation being assembled, not making mention of what was written to him from *Rome*, hee made a relation of that which the Earle of *Montfort* had represented; adding that the request for a Safe Conduct seemed reasonable, and also the deferring of whatsoeuer could bee deferred with honour. For hauing appointed alreadie to speake of the Eucharist, the first day of September, they could not choose but doe it; but to omit some point more important, and more con-

1551
Iulius 3.
Charles 5.
Edvvard 6.
Henry 2.

trouerſed, was a thing which might bee granted. And the voyces being collected, all were of opinion, that the Safe Conduct ſhould bee giuen, but concerning the matter to bee handled, ſome thought that it was not for their honour to deferre it, if the Proteſtants did not giue ſecuritie that they would come to handle it, and ſubmit themſelues to the determination of the Councell. Others ſaid, that their honour was ſaued, if it were done at their requeſt; and this was the more common opinion. Then the Legate added, that they might reſerue the matter of miniſtring the Cup to the Laitie: and, to ſhew that they did not come for one Article onely, they might ioyne alſo with it the Communion of Children. And order was taken to compoſe the Decree in this particular. Which being read, ſome thought it was too little to reſerue two Articles, and therefore that it was better to diuide the firſt into three, and ſo reſerue foure, and to adde the Sacrifice of the Maſſe; the controuerſies whereof are great. For ſo it will apppeare, that many things are reſerued, and the moſt principall; and in this opinion all did agree. And when it was ſayde that the Proteſtants deſire to bee heard concerning theſe, a Prelate of *Germanie* ſtood vp, and asked, by whom, and to whom this requeſt was made; becauſe it did much import that this ſhould appeare; otherwiſe when they ſhould ſay it was not true, the honour of the Councell would bee much blemiſhed. But there being nothing but what Count *Montfort* had ſayde as of himſelfe, and that alſo not reſtrained to thoſe foure heads, nor to the matter of the Euchariſt, but in generall of all the controuerſies, they were much troubled how to reſolue. To ſhew that this reſeruation was made by their owne motion, beſides that it was an indignitie, it did draw an obiection vpon them, that they ought to reſerue all. This way was found to bee leaſt ill, not to ſay that the Proteſtants make requeſt, but that they deſire to bee heard; whereof there can bee no doubt made, becauſe they haue ſaide it vpon diuers occaſions; and though they meant concerning all the controuerſies, yet it is no falſitie to ſpeake that of a part, which is ſpoken of the whole number, not excluding the reſt. Some thought that this was to hide themſelues behind a thread; but yet it did paſſe, becauſe they knew not how to doe better. For this cauſe, the matters reſerued being to bee taken out of the Heads of doctrine, and the *Anathematiſmes*, theſe which remained were, for more perſpicuitie, diuided, and reduced to eleuen. When they were to make the Decrees againſt the abuſes, they knew not where to put them. Amongſt thoſe of faith they were not to bee placed, being of Ceremonies and vſes. With thoſe of Reformation they did not agree, in regard of the diuerſitie of the matter. To ranke them by themſelues was a nouitie, and did alter the order ſet downe. After a long diſpute it was concluded to omit them now, and after to place them with the Decrees of the Maſſe. The points of the Reformation were accepted without difficultie, hauing beene alreadie eſtabliſhed by themſelues. There remained the forme of the Safe Conduct, which was referred to the Preſidents to compoſe, by the helpe of thoſe who had experience in ſuch things; which aſſiſted the Legate to make that forme paſſe which was ſent him from *Rome*.

A diſpute what points of doctrine are to be handled, vntil the comming of the Proteſtants.

The

1551
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

The eleuenth of October beeing come, they went to the Church, as they were wont. The Biſhop of *Maiorica* ſang Maſſe, and the Archbiſhop of *Torre* made the Sermon, which was all in the prayſe of the Sacrament of the *Euchariſt*. And other vſuall ceremonies being performed, the Decree of the doctrine was read by the Biſhops that did celebrate the Maſſe. The ſubſtance wherof was. That the Synod, aſſembled to declare the ancient faith, and to remedie the inconueniences cauſed by the Sectes, did deſire, from the beginning, to roote out the cockle, ſowed in the field of the *Euchariſt*. Therfore, teaching the Catholike doctrine, euer beleeued by the Church, it doeth prohibite all the faithful hereafter to beleeue, teach, or preach, otherwiſe then is declared. Fitſt, it teacheth that in the *Euchariſt*, after the conſecration, CHRIST is contained, truely, really, and ſubſtantially, vnder the appearances of the ſenſible things, notwithſtanding he is in heauen, by a naturall exiſtence; becauſe he is preſent in his ſubſtance in many other places, Sacramentally, in a manner of exiſtence, which is beleeued by faith, and can hardly bee expreſſed by words. For all the ancients haue profeſſed, that CHRIST did inſtitute this Sacrament in the laſt Supper, when, after the benediction of the Bread and Wine, he ſaid, in cleare and manifeſt words, that he gaue his Body and Blood, which hauing a moſt plaine ſignification, it is great wickedneſſe to wreſt them to imaginary figures, denying the trueth of the Fleſh and Blood of CHRIST. Afterwards it teacheth, that CHRIST hath inſtituted this Sacrament in memory of himſelfe, ordaining it ſhould bee receiued as a ſpirituall foode of the ſoule, as a medicine for our dayly faults, a preſeruatiue from mortall ſinne, a pledge of eternall glory, and a ſigne of the Bodie whereof himſelfe is the Head. And though it bee common to this Sacrament with others, to be a ſigne of a ſacred thing, yet it hath this proper to it ſelfe, that others hauing vertue to ſanctifie in the vſe, this doth conteine the authour of ſanctitie before the vſe. For the Apoſtles had not receiued the *Euchariſt* from the hand of our Lord, when hee ſaid that it was his Body: and the Church hath alwayes beleeued, that the Body of CHRIST is vnder the bread, and the Blood vnder the wine, by vertue of the conſecration; but, by concomitancie, as much is vnder either of the kindes, and euery part of them, as vnder both; declaring that, by the conſecration of the bread and wine, there is made a conuerſion of their whole ſubſtance into the ſubſtance of the body and blood of CHRIST, which conuerſion the Catholique Church hath called *Tranſubſtantiation*, by a fit and proper terme. Therefore the faithfull doe giue the honour of *Latria*, or diuine worſhip, due vnto God, to this Sacrament, and it hath been religiouſly inſtituted to make a particular feaſt for it euery yeere, and to carie it in proceſſion, in publike places. Likewiſe the cuſtome to keepe it in an holy place is ancient, and hath been obſerued from the time of the *Nicen* Councell, and to cary it to the ſicke is an old cuſtome, beeing reaſonable beſides, and commaunded in many Councels. And if it bee not fit that any holy thing ſhould bee handled without ſanctity, much more none ought to come to this Sacrament without great reuerence, and proofe made of himſelfe: which proofe muſt bee, that none hauing mortally ſinned, though he bee contrite, may receiue it, without ſacramentall *Confeſſion*; which the Prieſt alſo, who is to celebrate, ought to obſerue,

A Seſſion is held.

The Decree of doctrine concerning the *Euchariſt*.

1551
Iulius 3.
Charles 5.
Edvvard 6.
Henry 2.

so that hee can find a Confessor; and if he cannot, hee must confesse immediately afterward. It doth teach also that there be three kindes of receiuing the *Eucharist*. One Sacramentally onely, as sinners doe; another spiritually, as those doe, who receiue it with a liuely faith, and desire; the third conteineth both kindes, as those doe receiue it, who, hauing prooued themselues, as aforesayd, doe goe to the Table. And there is an Apostolicall tradition, and so it ought to bee obserued, that the Laitie should receiue the Communion from the Priests, and the Priests should communicate themselues. In the end the Synod prayeth all Christians to agree in this doctrine. When the Decree was ended, the eleuen *Anathematismes* were read. 1. Against him that shall denie that, in the *Eucharist*, is contained truely, really, and substantially the Body and blood, with the soule and diuinitie of Christ, that is, whole Christ, and shall say that hee is conteined onely as in a signe, or figure, or virtually. 2. That in the *Eucharist* there doth remaine the substance of the bread and wine with the bodie and blood of Christ, or shall denie that admirable conuersion of all the substance of the bread into the bodie, and of the wine into the blood, there remaining onely the forme; which conuersion the Church most appositely calleth *Transubstantiation*. 3. That, in the Sacrament of the *Eucharist*, vnder euery kind, and vnder euery part beeing separated, all Christ is not contained. 4. That, the consecration beeing made, hee is not there, but in the vse, and neither before nor after, and that hee is not in the particles, which remaine after the Communion. 5. That the principall fruit of the *Eucharist* is the remission of sinnes, or that it hath no other effect. 6. That Christ in the *Eucharist* ought not to bee worshipped with the honour of *Latria*, nor honoured with a particular feast, nor carried in procession, nor put in a publique place, to bee worshipped, or that the worshippers are idolaters. 7. That it is not lawfull to keepe it in an holy place, but that it should bee distributed to the standers by, or that it is not lawfull to carrie it honourably to the sicke. 8. That Christ in the *Eucharist* is eaten onely spiritually, and not Sacramentally, and really. 9. That the faithfull, beeing of age, are not bound to communicate euery yeere at Easter. 10. That it is not lawfull to the Priest, who celebrateth, to communicate himselfe. 11. That faith onely is a sufficient preparation to receiue it: Declaring in the ende, that the preparation ought to bee by the meanes of Sacramentall Confession; holding him to bee excommunicate who shall teach, preach, affirme pertinaciously, or defend in publique disputation, the contrary.

The *Anathematismes*.

The Decree of reformation conteineth first a long admonition to the Bishops, to vse their iurisdiction moderately, and charitably; then determineth, that in causes of visitation, correction, and inabilitie, and in the criminall, none may appeale from the Bishop or his Vicar generall, before the definitiue, or from an irreparable grieuance; and when there shall bee place for *Appeale*, and a Commission shall bee granted *in partibus*, by Apostolike authoritie, it shall not bee granted to any but the Metropolitan, or his Vicar; or, in case hee bee suspected, or farre distant, or the *Appeale* bee from him, it shall not bee granted but to a Bishop dwelling neere, or a Bishops Vicar.

The Decree of reformation.

Vicar. That the defendant appealing, ſhall bee bound to produce in the ſecond inſtance the actes of the firſt, which ſhall bee giuen him, within thirtie dayes, without paying for them. That the Biſhop, or his Vicar generall may proceede againſt any to condemnation, and verball depoſition, and may alſo degrade ſolemnely, with the aſſiſtance of ſo many Abbats of Miter and poſtorals, if hee can haue them, or of ſo many other Eccleſiaſticall dignities, as there are Biſhops required by the Canons. That the Biſhop, as delegate, may ſummarily take knowledge of the abſolution of euery one of whom inquiſition is made, and of the remiſſion of the puniſhment of euery one that is condemned by him; and if it ſhall appeare vnto him, that ſentence hath beene obtained, by telling that which is falſe, or concealing the trueth, hee may cauſe it not to bee executed. That a Biſhop may not bee cited to appeare perſonally, but for ſuch a cauſe for which hee may be depoſed or depriued, by what forme of iudgement ſoeuer the proceeding bee. That teſtimonies, in a criminall cauſe, againſt a Biſhop, may not be receiued by information, but by witneſſes, and thoſe of good fame, chaſtizing them grieuouſly if they ſhall depoſe vpon Paſſion: and the criminall cauſes of the Biſhops may not be determined but by the Pope.

1551
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY. 2.

After this another Decree was publiſhed; in which the Synode ſaide. That, deſiring to extirpate all errours, it had handled foure Articles exactly. 1. Whether it were neceſſary and commanded by GOD, that all the faithfull ſhould receiue the Sacrament vnder both kinds. 2. Whether hee that receiueth but one, receiueth leſſe then he that receiueth both. 3. Whether the holy Church hath erred in communicating the Laiques with the bread onely, and the Prieſts who doe not celebrate. 4. Whether children ought to be communicated. But becauſe the Proteſtants of *Germany*, doe deſire to bee heard concerning theſe Articles, before the definition, and therefore haue demanded a Safe Conduct to come, remaine, ſpeake freely, propoſe, and depart, the Synode, hoping to reduce them into the concord of one faith, hope, and charity, by yeelding to them, hath giuen them publique faith, that is, Safe Conduct, as farre as it can, according to the tenor vnder written and hath deferred to define theſe Articles, vntill the twenty fiue of Ianuary the next yeere; ordayning withall, that the Sacrifice of the Maſſe be handled in that Seſſion, as a thing annexed, and that, in the next, the Sacraments of Penance, and extreame Vnction, be diſcuſſed.

The Decree concerning matters to be deferred vntill the comming of the Proteſtants.

The tenor of the Safe Conduct was; That the holy Synode doth, as much as it can, grant publike faith, full ſecurity, that is, Safe Conduct, with all neceſſary and fit clauſes, though they require a ſpeciall expreſſion, to all Eccleſiaſticall and Secular perſons of *Germany*, of what degree, ſtate, or quality ſoeuer, who will come to this Generall Councel, that they may, with all liberty, conferre, propoſe, treat, come, remaine, preſent Articles, by writing or by word, conferre with the Fathers deputed by the Synode, and diſpute without iniury and ill words, and depart when they pleaſe. And the Synode is further pleaſed to grant, that if, for their greater liberty and ſecurity, they ſhall deſire, that Iudges bee deputed for the offences which they haue committed, or ſhall commit, though they be enormous, and ſauour of hereſie, they may name thoſe that they ſhall eſteeme fauourable. After this, the

The tenor of the Safe Conduct.

The Ambaſſage of the Elector of *Brandeburg*.

1551
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

Mandate of *Ioachim*, Elector of *Brandeburg*, was read, in the persons of *Christopher Strassen*, a Lawyer, and *Iohn Osman*, his Ambassadours, sent to the Councel. The former made a long Oration, shewing the good affection, and reuerence of his Prince, towards the Fathers, without declaring what his opinion was in point of Religion. The Synode answered (that is, the Speaker in its name) that it heard with great content, the Ambassadours discourse, especially in that part, where that Prince doth submit himselfe to the Councel, and promiseth to obserue the Decrees, hoping that his deeds will bee answerable to his words. But the Proposition of those of *Brandeburg* was noted by many, because the Electour was of the *Augustane* confession, and it was openly knowen, that his interests did moue him to make such a faire shew, that his sonne *Fredericke*, elected Archbishop of *Magdeburg* by the Canons, a Benefice, vnto which a very great and rich Principality is annexed, might not be hindered at *Rome*, and by the Catholiques of *Germanie*.

An artifice vsed by the Councel often practised by the Church of *Rome*.

The answere which the Councel gaue, was much meruailed at, in regard of the faire and aduantagious manner of contracting, pretending ten thousand by vertue of the promise, when the bargaine was but of ten. For there is no more proportion betweene these two numbers, then was betweene the reuerence promised by the Electour, and the obedience receiued by the Synode. It was replied for defence, that the Councel did not regard what was, but what should haue beene saide, and that this is an vsuall and pious allurement, of the holy Church of *Rome*, which, yeelding to the infirmity of her children, maketh shew to beleeue, that they haue performed their duety. So the Fathers of the Councel of *Carthage*, writing to *Innocentius* the first, to giue him an account, that they had condemned *Celestinus* and *Pelagius*, desiring him to conforme himselfe to their declaration; hee commended them in his answere, that, remembring the old tradition, and Ecclesiasticall discipline, they had referred all to his iudgement, whence all ought to learne, whom to absolue, and whom to condemne. And indeed, this is a faire gentle meanes, to make men speake that in silence, which they will not in words. Afterwards, according to the intimation, made by the Abbat of *Bellosana*, to giue him then an answere to the letters, and *Protestation* of his Master, they made the *Apparitors* demand, by proclamation, at the Church doore, whether any were there for the most Christian King. But no man appearing, because it was so concluded by the Kings Conncel, not to enter into the contestation of the cause, especially for that they could expect no answere, but made at *Rome*, by the Pope and the Spaniards, the Speaker did desire, that the answere decreed, might be read publikely; and so it was, by consent of the Presidents. The substance of it was; That the Fathers conceiuing great hope of the fauours of the King, were exceedingly grieued for the words of his Minister, which did much abate it; yet they had not quite lost it, in regard they were not conscious of hauing giuen him any cause of offence: and, for that hee said, the Councel was assembled for the profit of some few, and for priuate ends, it had no place in them, who were assembled not by the present Pope onely, but by *Paulus* the third, to extirpate heresies, and reforme discipline, then which causes none can bee more com-

The answere of the Councel made to the Abbat of *Bellosana*.

mon

mon and pious: praying him to let his Bishops goe to assist this holy worke, where they shall haue all liberty. And if his Minister, a priuate person, who brought vnto them things distastfull, was heard, with patience and attention, how much more welcome shall persons be of so great dignity. Adding withall, that though they come not, the Councel will not want reputation or authority, hauing beene lawfully called, and, for iust causes, restored. And, for that his Maiesty did protest, to vse the wonted remedies of his Ancestours, the Synode had good hope, that hee would not restore the things long since abrogated, to the great benefit of that Crowne, but looking backe vpon his ancestors, on the name of the most Christian King, and on his father *Francis*, who did honour that Synode, following that example, hee will not bee vnthankefull to GOD, and the Church his mother, but will rather pardon priuate offences, for publike causes.

1551 IVLIVS 3. CHARLES 5. EDVVARD 6. HENRY 2.

The Decrees of the Session were immediatly printed; which, being curiously read in *Germany*, and else-where, raised much speech in many things concerning the Eucharist. First, because treating of the manner of the existence, it said, that it could hardly be expressed in words, and yet affirmeth after, that it is properly called *Transubstantiation*; and, in another place, that it is a most fit terme: which being so, one cannot doubt but that it may bee properly expressed. It was further noted, that hauing declared that CHRIST, after the benediction of Bread and Wine, said, that that which he gaue, was his body and blood, it came to determine, against the opinion of all the Deuines, and of the whole Church of *Rome*, that the words of consecration were not those; that is, this is my body, because it doth affirme that they were spoken after the consecration. But to prooue that the body of our LORD is in the Eucharist before the vse, because CHRIST, in giuing of it, said, before it was receiued by his Disciples, it was his body, did shew that they did presuppose, that the giuing of it did not belong to the vse; the contrary whereof was apparantly true. The manner of speech vsed in the fifth point of doctrine, saying that diuine worship was due to the Sacrament, was noted also for improper, seeing it is certaine that the thing signified or contained, is not meant by the Sacrament, but the thing signifying and containing: and therefore it was well corrected in the sixt Canon, which saide, that the Sonne of GOD ought to be worshipped in the Sacrament. That also in the third *Anathematisme* was noted, that all CHRIST was in euery part, after the separation, because it seemeth one may necessarily infer from hence, that it was not in euery part before the diuision.

The decrees are censured in *Germany*.

The Priests complained of the reformation, and said, that the Bishops authority was made too great, and the Clergie brought into seruitude. But the Protestants seeing the point where it was said, that they desired to be heard in foure articles onely, did much wonder who should make that request in their name, seeing they had said, and repeated so often, in publique Diets, and by publique writings, that they desired a discussion of all the controuersies, nor would receiue any of those things which were already determined in *Trent*, but would haue all to bee reexamined. They thought also that the forme of the safe conduct was very captious, because as well in the decree to graunt it, as in the tenour thereof, there was this clause of reseruation, as far

The Priests complaine of the reformation.

The Protestants dislike the reseruatiō of the points of doctrine. And the form of the safe conduct.

as

1551
Iulius 3.
Charles 5.
Edvvard 6.
Henrie 2.

as belongeth to the Synode: for no man demaundeth of another, but that which belongeth to him to graunt. But this affected diligence to expresse and repeat it, was a signe that they had inuented a meanes to goe against it, and to excuse themselues vpon others. And they doubted not but that the ayme of the Synode was to leaue a gate open for the Pope, that he might do with his owne and the Councels honour, what he thought seruiceable for them both. Besides, the treating to depute Iudges for things hereticall committed, or to be committed, seemed to them a kind of net, to catch those that were vnwary; and euen the very Pedants did laugh at it, that the principall verbe was more then an hundred and fiftie words distant from the beginning. The Protestants did vniformely agree not to bee content with it, or trust vpon it, but to desire another, iust like that which was giuen by the Councell of *Basil*, to the *Bohemians*; which if it were graunted, they did obtaine one great point, that is, that the controuersies should be decided by the holy Scripture; and if it were not graunted, they might excuse themselues with the Emperour.

The day following the Session, there was a generall congregation, to set downe how to treat of Penance and extreame Vnction, and to continue the reformation. It was considered, that the manner of discussion prescribed, was exceeded by the Deuines; whence contentions did arise, for which they could not be vnited against the Lutherans: and therefore it was thought necessary to renew the decree, & not suffer any to vse the reasons of the schools, but to cause them to speake positiuely, and also to obserue the order, which they thought fit to establish againe, as well because the not obseruing of it had bred confusion, as because the *Flemmings* did complaine that none account was made of them, as did also the Deuines which came with the Prelates of *Germanie*. To handle Penance, and extreame Vnction, was decided already, and some thing was said in matter of reformation, and Prelats were deputed, who, with the *Nuncio* of *Verona*, were to make the Articles in matter of faith, and, with the *Nuncio* of *Siponto*, in matter of reformation. In matter of faith twelue Articles were framed vpon the Sacrament of Penance, drawen *Verbatim* out of the books of *Martin*, & of his Scholars, to be disputed by the Deuines, whether they were to bee held for hereticall, and condemned for such; which, in framing the *Anathematismes*, after the Deuines had giuen their voyces, were so changed, that no iot of them remaining, it is superfluous to recite thē. To these Articles were added foure more of extreame Vnction, answerable, in all points, to the foure *Anathematismes* established. In the same page, where the Articles were set downe, three decrees were added. That the Deuines ought to giue their opinions out of the holy Scripture, traditions of the Apostles, holy Councels, Constitutions, and authorities of Popes, and holy Fathers, and out of the consent of the Catholike Church. That the order of speaking should be thus: that first they should speake who were sent by the Pope: secondly, those who were sent by the Emperour: thirdly, those of *Louaine*, sent by the Queene: fourthly, those Deuines who came with the Electors: fiftly, the secular Cleargie men, according to their promotions: sixtly, the Regulars, according to their orders. That there should be two congregations euery day, one in the morning from the foure-

Three decrees are made concerning the manner of proceeding in Councell.

teenth

teenth houre, vntill the ſeuenteenth; another in the afternoone from the twentieth houre vntill the three and twentieth. The Articles of Reformation were in number fifteene, all which anſwered the points which were after eſtabliſhed, except the laſt; in which a propoſe was made, to conſtitute, that benefices ſhould not bee giuen in *Commenda*, but to perſons of the ſame age, which the law required in thoſe who might haue them in title: which Article, when it was ſpoken of, was eaſily buried in ſilence, becauſe it hindered many Prelats to renounce their benefices to their Nephewes. 1551 Iulius 3. Charles 5. Edvvard 6. Henry 2.

The Pope, who (as hath beene ſaid) wrote letters to the Catholique *Suiſſes*, inuiting them to the Councell, did ſtill make the ſame inſtance vnto them, by his *Nuncio*, *Ieronymus Francus*; wherein alſo he was aſſiſted by the Emperour. The French King did oppoſe, by his Ambaſſadour, *Morleus Muſa*, aſſiſted by *Vergerius*, who, knowing the ſecrets and ends of the *Romans*, told him how hee ſhould perſwade that nation, and wrote alſo a Booke in this ſubiect; ſo that in the Diet of *Bada*, which then was helde, not onely the Euangelicall, but the Catholique Suiſſes alſo were perſwaded not to ſend any; and the Griſons, entring into ſuſpicion vpon the aduertiſements of *Vergerius*, that the Pope did plot ſomething to their preiudice, did recall *Thomas Planta*, Biſhop of *Coira*, who was alreadie in the Councell. *Vergerius* diſcouereth the ſecret ends of the Romaniſts to the Suiſſes, and Griſons.

In *Trent* the Congregations of the Diuines were diligently haſtened: who, though they ſpake according to the order of the twelue Articles, yet all the matter of Penance was handled, not as the Schoole-men only, but alſo as the Canoniſts doe handle it, following *Gratian*, who maketh a queſtion thereof, diuided, for the length of it, into ſixe diſtinctions: and the manner preſcribed by the Preſidents, to deduce and proue the concluſions from the fiue places aforeſaid, cauſed not prolixitie, ſuperfluitie, and vnprofitable and vaine queſtions to bee auoyded, but gaue occaſion of greater abuſes. For when they ſpake Scholaſtically, they kept themſelues within the matter at the leaſt, and the diſcourſe was all ſerious and ſeuere. But by this new manner, which they call *poſitiue* (an Italian word, drawne from plaine apparell, without ſuperfluous ornaments) they ranne into fooleries. For, alleadging the Diuine Scripture, they brought all the places of the Prophets, and Pſalmes, eſpecially where the word, *Confiteor*, and, its verball, *Confeſsio*, are found, which doeth ſignifie in the Hebrew, prayſe, or rather, religious profeſſion, and haled them to the Sacrament of Confeſſion: and, which was leſſe to the purpoſe, figures were drawne from the Olde Teſtament, to ſhew that it was prefigured, without any regard whether it might bee applied to it with ſimilitude; and hee was held moſt learned who brought moſt of them. All the rites ſignifying humilitie, griefe, and repentance, vſed by thoſe who confeſſed, were bouldly called Apoſtolicall traditions. Innumerable miracles were related, ancient and moderne, concerning things which ſucceeded well to thoſe who were deuoted to Confeſſion, and ill, to thoſe who were negligent, and deſpiſers of it. All the authorities alleadged by *Gratian* were often recited, but various and diuers ſences giuen them, according to the matter; and others alſo were added. And hee that ſhould haue heard thoſe Doctours ſpeake, could not but conclude, that the Apoſtles The maner of diſcuſſing the points of doctrine is cenſured.

1551
Ivlivs 3.
Charles 5.
Edvvard 6.
Henrie 2.

Apoſtles, and ancient Biſhops did neuer any thing but kneele at Confeſſion, or ſit to confeſſe others. In ſumme, that, to which all did come, and which was moſt to the purpoſe, was the Councell of *Florence*. Among the memorials, there doth nothing appeare worthy of particular mention, except that which is to be ſpoken of when the ſubſtance of the doctrine muſt be recited. But thus much was neceſſary to be deliuered. Out of theſe ſheaues of diuers ſorts of corne, caried into the barne, it is no maruel if a mingled griſt were threſhed. The points of doctrine, by reaſon of the mixture, did abſolutely pleaſe but few; neither was it obſerued in this ſubiect, as in others, not to condemne any opinió of the Catholikes, but, where the opiniõs of the diuines were various, to make the expreſsion with ſuch a temper, that all parties might be ſatisfied. Which cauſeth me not to obſerue my former order, but firſt to expound the ſubſtance of the Decree, as it was eſtabliſhed to be read in the Seſsion, and then to adde that which the ſame perſons of the Councel did not approue.

The Decree concerning *Penance.*

The Decree was this. That although, in handling *Iuſtification*, much was ſpoken of the Sacrament of *Penance*, yet, to roote out diuers hereſies of this age, it was fit to illuſtrate the Catholike trueth, which the holy Synode doth propoſe to bee perpetually obſerued, by all Chriſtians; adding that *Penance* was alwayes neceſſary, in euery age of the world, and, after Christ, to thoſe alſo who were to bee baptized; which *Penance* is not a Sacrament. There is another inſtituted by Christ, when, breathing vpon his Diſciples, hee gaue them the holy Ghoſt, to remitte and retaine ſinnes, that is, to reconcile the faithfull, fallen into ſinne after baptiſme. For ſo the Church hath alwayes vnderſtood it; and the holy Synod doeth approoue this ſence of the wordes of our Lord, condemning thoſe who vnderſtand them of the power to preach the Goſpel. And this Sacrament differeth from *Baptiſme*, not onely in the matter and forme, but alſo becauſe the miniſter of *Baptiſme* is not iudge, whereas, after *Baptiſme*, the ſinner doth preſent himſelfe before the tribunall of the Prieſt, as guilty, to bee ſet at libertie, by his ſentence. And, by *Baptiſme*, a full remiſſion of ſinnes is receiued, which is not receiued by *Penance*, without ſighes and paines. And this Sacrament is as neceſſary for ſinners after *Baptiſme*, as *Baptiſme* it ſelfe is to him that hath not receiued it. But the forme thereof conſiſteth in theſe words of the miniſter. I doe abſolue thee: vnto which other prayers are laudably added, though they bee not neceſſary. And *Contrition*, *Confeſsion*, and *Satisfaction*, are, as it were, the matter of the Sacrament, which are therefore called parts of *Penance*. The thing ſignified, and the effect of the Sacrament, is, reconciliation with God, whence peace and cleerneſſe of conſcience doe ſometimes ariſe. And therfore the Synod doth condemne thoſe who make horror of conſcience and faith to bee parts of *Penance*. *Contrition* is griefe of minde for ſinne committed, with purpoſe to ſinne no more, and was euer neceſſary in all times; but in ſinners, after Baptiſme, it is a preparation to remiſſion of ſinnes, beeing ioyned with a purpoſe to doe whatſoeuer elſe is required, for the lawfull receiuing of this Sacrament. And it is not onely a ceaſing from ſinne, or a purpoſing and a beginning of a new life, but alſo an hate of the life paſt. And though *Contrition* bee ſometimes ioyned with charitie, and reconcileth a man to God, before the receiuing of the Sacrament, yet this ver-

tue,

tue cannot bee aſcribed to it, without purpoſe to receiue the ſaid Sacrament of *Penance*. But the action which ariſeth, either by reaſon of the filthineſſe of ſinne, or of the feare of puniſhment, with hope of pardon, is not hypocriſie, but the gift of GOD, by which the penitent beeing aſſiſted, doth goe on to receiue iuſtice; which although it can not bring vs to iuſtification with out the Sacrament, yet it doth diſpoſe vs to obtaine grace from GOD, in the Sacrament of *Penance*. By this, the Church hath euer vnderſtood, that CHRIST hath inſtituted the intire confeſſion of ſinnes as neceſſary, by the Law of GOD, to thoſe that fall after Baptiſme. For hauing inſtituted the Prieſts, his Vicars, for iudges of all mortall ſinnes, it is certaine that they cannot exerciſe this iudgement, without knowledge of the cauſe, nor obſerue equity in impoſing puniſhment, if the ſinnes bee not particularly made knowen vnto them, and not in generall only. Therefore the penitent ought, in *Confeſſion*, to declare all his mortall ſinnes, euen the moſt ſecret, but the veniall, though they may be confeſſed, yet they may bee concealed alſo with out offence. And hence it commeth, that, in *Confeſſion*, it is neceſſary to explicate the circumſtances, which alter the nature of the ſinne, becauſe otherwiſe, one cannot iudge of the weight of the exceſſes, and impoſe a condigne puniſhment. So that it is wickednesſe to ſay, that this kinde of *Confeſſion* is impoſſible, or that it is the murdering of the conſcience, becauſe nothing is required but that the ſinner, hauing diligently examined himſelfe, ſhould confeſſe what he remembreth, and the ſinnes forgotten are ſuppoſed to bee included in the ſame *Confeſſion*. And though CHRIST hath not forbid publique *Confeſſion*, yet he hath not commanded it; neither would it bee good to command that ſinnes, eſpecially ſecret, ſhould be confeſſed in publique. Wherefore the Fathers, hauing euer prayſed the ſacramentall ſecret *Confeſſion*, the calumnie of thoſe is vaine, who call it an humane inuention, excogitated by the *Laterane* Councel; which did not ordaine *Confeſſion*, but onely that it ſhould be made once at the leaſt euery yeere. Concerning the Miniſter, the Synod doth declare thoſe doctrines to be falſe, which extend to all the faithfull, the miniſtery of the keyes, and the authority giuen by CHRIST to binde and looſe, remit and retaine publique ſinnes by correction, and ſecret by voluntary *Confeſſion*, and teacheth that the Prieſts, though ſinners, haue authority to remit ſinnes; which is not a naked miniſtery, to declare that ſinnes are remitted, but a iudiciall act. Therefore let no man ground himſelfe vpon faith, thinking that, without contrition, and a Prieſt, who is willing to abſolue him, hee can haue remiſſion. But becauſe there is a nullity in the ſentence, pronounced againſt him who is not ſubiect, there is alſo a nullity in the abſolution of the Prieſt, who hath not authority, delegate, or ordinarie, ouer the penitent: and the greater Prieſts doe, with reaſon, reſerue to themſelues ſome faults more grieuous, and ſo doth the Pope very iuſtly; and there is no doubt, but that euery Biſhop may doe it in his dioceſſe. And this reſeruation is not onely for externall policie, but is alſo of force before GOD. Therefore it was alwas obſerued in the Church, that, in the houre of death, any Prieſt may abſolue any penitent, from any ſinne. Of ſatisfaction, the Synode doth declare, that the ſinne beeing remitted, the puniſhmet is not pardoned, it beeing not conue-

1551
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

nient,

1551
Iulius 3.
Charles 5.
Edvvard 6.
Henrie 2.

nient, that hee ſhould bee ſo eaſily receiued into Grace, who hath ſinned before Baptiſme and after, and bee left without a bridle, which may draw him from other ſinnes: yea it is conuenient hee ſhould bee like to CHRIST, who ſuffering puniſhments did ſatisfie for vs, from whom our ſatisfactions alſo receiue force, as offered by him to the Father, and receiued, by his interceſſion. Therefore the Prieſts ought to impoſe conuenient ſatisfactions, not only ro keepe the penitent from new ſinnes, but alſo to chaſtiſe him for the old: declaring likewiſe that Satisfaction is made, not only by puniſhments, willingly receiued, or impoſed by the Prieſt, but by induring alſo, with patience, the ſcourges ſent from God.

15. *Anathematiſmes.*

In conformitie of this doctrine, fifteene *Anathematiſmes* were made. 1. Againſt him that ſhall ſay, that Penance is not truly and properly a Sacrament, inſtituted by CHRIST, to reconcile ſinners after Baptiſme. 2. That Baptiſme is Penance, or that is not the ſecond table or bord after ſhipwracke. 3. That the words of CHRIST, *Quorum remiſeritis peccata*, are not vnderſtood of the Sacrament of Penance, but of the authority to preach the Goſpell. 4. That *Contrition*, *Confeſsion*, and *Satisfaction*, are not required for, as it were, the matter, and as parts of *Penance*, or ſhall ſay that the terrors of conſcience and faith are parts. 5. That Contrition is not profitable, but cauſeth hypocriſie, and is a forced, and not a free ſorrow. 6. That Sacramentall *Confeſsion* is not inſtituted, and neceſſary by the law of GOD, or that the manner of confeſſing to the Prieſts in ſecret, is an humane inuention. 7. That it is not neceſſary to confeſſe all mortall ſinnes, euen thoſe that are hidden, and the circumſtances which doe change the nature of them. 8. That this is impoſsible, or that all are not bound to confeſſe once a yeere, according to the precept of the Laterane Councell. 9. That the Sacramentall abſolution is not a iudiciall act, but a miniſtery, to declare the remiſsion of ſinnes to the belecuer, or that an abſolution giuen in ieſt doth help, or that the confeſsion of the penitent is not requiſite. 10. That Prieſts in mortall ſinne, haue not power to binde and looſe, or that all the faithfull haue it. 11. That Biſhops haue not authority to reſerue caſes, but for externall policie. 12. That all puniſhment is remitted together with the fault, and that no other ſatisfaction is required but faith, that CHRIST hath ſatisfied. 13. That *Satisfaction* is not made by ſuffering afflictions ſent by GOD, by puniſhments impoſed by the Prieſt, and willingly taken, and that the beſt *Penance* is onely a new life. 14. That *Satisfactions* are not diuine worſhip, but humane traditions. 15. That the keyes of the Church are onely to looſe, and not to binde.

Some of which are oppoſed by the Deuines of *Louaine* and *Collen*.

The Deuines of *Louaine* oppoſed the reſeruation of caſes, ſaying it was not ſo cleere, becauſe it cannot bee found that any Father did euer ſpeake of it; and that *Durand*, who was a *Penitentiarie*, and *Gerſon* and *Caietan* doe all affirme, that not ſinnes, but cenſures are reſerued to the Pope: and therefore that it was too rigid, to eſteeme him an heretique who thought otherwiſe. The Deuines of *Collen* ioyned with them, and ſaid plainely, that it could not be found that any ancient did ſpeake of any reſeruations, but of publique ſinnes, and that it was not fit to condemne the Chancellour of *Paris*, ſo pious and Catholique an Authour, who wrote againſt them. That the here-

tiques

tiques were wont to say, that these reseruations were inuented for gaine; as also Card. *Campeggio* said, in his reformation, and that it gaue him occasion to write against it; vnto which the Diuines would not haue answered, nor been able to answere. 1551 IVLIVS 3. CHARLES 5. EDVVARD 6. HENRY 2.

And therefore as well the doctrine, as the *Canon*, ought to bee moderated, that it may not giue scandal, nor offend any Catholike. The same men of *Collen* said, that the meaning of the words, *Quorum ligaueritis*, condemned in the tenth Canon, is expresly, and formally so vnderstood by *Theophilact*, and that to condemne it were to make the enemies reioyce. And that which was said in the last, that the power to bind, is vnderstood to impose *Penance*, they obserued that the ancient Fathers did not so vnderstand it, but that to binde was to make one abstaine from receiuing the Sacraments, vntill a compleate satisfaction. They demanded also that mention should be made of publike Penance, so much commended by the Fathers, especially by *Cyprian*, and Saint *Gregorie* the Pope; who, in many Epistles, sheweth it to bee necessarie by the law of God; which if it bee not brought againe into vse concerning heretikes and publike sinners, *Germanie* will neuer bee free: and yet the Decree, as well in the doctrine, as the Canons, doeth not onely not speake in fauour of it, but rather doeth weaken it, and detract from it. They desired also that some certaine externall signe should be declared for the matter of the Sacrament; for otherwise the obiection of the aduersaries will neuer bee answered.

Two things did exceedingly displease the Franciscan Diuines: the one for hauing declared Contrition, Confession, and Satisfaction to bee the matter of the Sacrament, holding them to bee necessarie requisites, but not essentiall parts of Penance. They said it was plaine, that the matter should bee a thing applied to the receiuer, by the Minister, and not an operation of the receiuer himselfe. That this appeareth in all Sacraments; and therefore that it is a great inconuenience to put the actes of the Penitent for part of the Sacrament. That it is certaine that Contrition is no lesse required to Baptisme, then it is to Penance; and yet it is not put for part of Baptisme. That the ancients did require confession of sinnes before Baptisme, as also Saint *Iohn* did, of those whom hee baptized, and they made those that were Cathechised to stand in Penance; and yet neuer any said, that these were partes or matters of Baptisme. Therefore to condemne this opinion, held by the ancient Diuines of the Franciscan religion, and now by the whole Schoole of *Paris*, was to passe their limits. They complained also that it was made heresie to say, that sacramentall Absolution is declaratiue, because Saint *Ierom*, the Master of the Sentences, S. *Bonauenture*, and almost all the Schoole Diuines haue cleerely saide, that the Absolution in the Sacrament of Penance, is a declaration that one is absolued. To this last, answere was made, that he was not absolutely condemned for an heretike, who saide that Absolution is a declararion that sinnes are remitted, but that sinnes are remitted to him that doeth certainely beleeue that they are remitted to him: therefore onely the opinion of *Luther* was comprehended. But they were not so satisfied, saying, that, in handling of heresie, one should speake plainely, and that no man would make such an exposition of it: and they demanded, that, as well in the

And others by the Franciscans and by Friar *Ambrosius Pelargus*.

1551
Ivlivs 3.
Charles 5.
Edward 6
Henry 2.

point of doctrine, as in the *Anathematiſme*, this particular ſhould bee well declared. But Friar *Ambroſius Pelargus*, a Diuine of the Elector of *Triers*, conſidered, that the words of our Lord, *Quorum remiſeritis*, were perhaps not expounded by any Father, for an inſtitution of the Sacrament of Penance, and that by ſome they were vnderſtood of Baptiſme, by others, of any other thing, by which pardon of ſinnes is receiued. Therefore to reſtraine them onely to the Sacrament of Penance, and to declare them heretikes who vnderſtand them otherwiſe, would giue a great aduantage to the aduerſaries, and cauſe them to ſay, that the ancient doctrine of the Church was condemned in the Councell. Therefore hee exhorted them, before they made ſuch a great ſtride, to looke vpon the expoſitions of the Fathers, and, when thoſe were examined, to determine what ſhould bee ſayde. Many of the Fathers thought the remonſtrances to bee very conſiderable, and deſired that the Deputies would conſult againe, as they had done before, vpon other occaſions, to remooue whatſoeuer gaue offence to any, and ſo to frame the Decree as that euery one might approoue it.

But all of thé are croſſed by C. *Creſcentius*.

But Cardinal *Creſcentius* oppoſed with a continuate ſpeach, ſhewing that to take the ſinewes and ſoule from the Decrees, to ſatisfie the humors of particular men, was not honourable for the Synode. That they were maturely eſtabliſhed, and therefore it was fit to obſerue them. Yet, if his opinion did not pleaſe all, hee was content, that, before any thing elſe were done, this generall ſhould bee handled in a Congregation, whether it were good to make a change or not, and then to deſcend to the particulars. But in this he did not fully diſcouer what his aime was, which afterwards hee did manifeſt to his Colleagues, and truſtie friends: that they ſhould not ſuffer the vſe of contending and ſpeaking ſo freely; which would bee dangerous when the Proteſtants came, becauſe they would doe as much, in fauour of their owne opinions. That, for the honeſt and reaſonable libertie of the Councell, it ſufficeth that one may deliuer his opinion, while the matter is diſputed; but after, when all men haue beene heard, the Decrees framed by the deputies, allowed by the Preſidents, ſeene, examined, and approoued at *Rome*, to call them into queſtion, and to require an alteration, for particular intereſts, was too much licence. The Cardinall ouercame, at the laſt, the maior part of the Fathers, being perſwaded that the doctrine eſtabliſhed was according to the opinion of the moſt intelligent Diuines, and moſt oppoſite to the Lutheran nouities.

But becauſe almoſt all is ſpoken that concerneth matter of faith, in that Seſſion, it will not bee amiſſe to adde that little which remaineth, touching the Sacrament of extreame Vnction. Of which the Diuines ſpake with the ſame prolixitie, but without any difference amongſt themſelues. And out of their opinions three points of doctrine, and foure *Anathematiſmes* were framed. The doctrine contained in ſubſtance. That the Vnction of the ſicke, is truely and properly a Sacrament, inſinuated, by Christ our Lord, in S. *Marke*, and publiſhed by the Apoſtle S. *Iames*: from whoſe words the Church did learne, by an Apoſtolical tradition, that the oyle, bleſſed by the Biſhop, is the matter, and the wordes vſed by the Miniſter, is the forme of the Sacrament; but the thing contained and the effect, is the grace of the holy

The Doctrine concerning extreame Vnction.

holy Ghoſt, which purifieth the reliques of ſinne, and rayſeth vp the minde of the ſicke, and ſometimes, when it is profitable for the ſoule, giueth health of body. The miniſters of the Sacrament are the Prieſts of the Church, the word πρεσβύτερος being not vnderſtood for ancients, but for Prieſts. And this *Vnction* ought principally to be giuen to thoſe who are at the point of death, who, beeing recouered, and returned to the ſtate of ſickeneſſe, may receiue it againe. And therefore an *Anathema* is pronounced. 1. Againſt him that ſhall ſay that extreame *Vnction* is not truely and properly a Sacrament, inſtituted by CHRIST. 2. That it doth not giue grace, nor remit ſinnes, nor eaſe the ſicke, but is ceaſed, as that which did formerly belong to the grace of health. 3. That the rite vſed by the Church of *Rome*, is contrary to the ſaying of Saint *Iames*, and may bee neglected without ſinne. 4. That the Prieſt only is not the miniſter, and that Saint *Iames* did vnderſtand the ancients for age, and not the Prieſts, ordained by the Biſhop.

1551. IVLIVS 3. CHARLES 5. EDWARD 6. HENRY 2.

But if any maruaile why it is ſaid in the firſt head of the doctrine, that this Sacrament is inſinuated by CHRIST our Lord in Saint *Marke*, and publiſhed in Saint *Iames*, wheras the antecedence, and conſequence of the words did require, that it ſhould not bee ſayd, inſinuated, but inſtituted, hee may knowe that it was firſt ſo written; but a Diuine hauing obſerued, that the Apoſtles, who anointed the ſicke, of whom Saint *Marke* ſpeaketh, were not Prieſts, becauſe the Church of *Rome* holdeth, that Prieſthood was conferred vpon them onely in the laſt Supper, it ſeemed a contradiction, to affirme, that the *Vnction* which they gaue, was a Sacrament, and that Prieſts onely are miniſters of it. Whereunto ſome, who held it to bee a Sacrament, and at that time inſtituted by CHRIST, did anſwere, that CHRIST commanding them to miniſter the *Vnction*, made them Prieſts concerning that acte only. As if the Pope ſhould command a ſimple Prieſt to giue the Sacrament of *Chriſme*, he made him a Biſhop for that acte. Yet it was thought too dangerous to affirme it abſolutely. Therefore, in ſtead of the word *Inſtitutum*, they put *Inſinuatum*. Which word what it may ſignifie in ſuch a matter, euery one may iudge who vnderſtaudeth what *Inſinuare* is, and doth applie it to that which the Apoſtles then did, and to that which was commanded by Saint *Iames*, and to the determination made by this Councell.

14. Articles of reformation are handled in which the Preſidents of the Synod & the Biſhops haue diuers ends.

But in matter of reformation, as hath been ſaid, fourteene Articles were propoſed, all belonging to Epiſcopall iuriſdiction: whereof when they had vnderſtood the opinion of the Canoniſts in the particular Congregations, & read all in the general, they came to frame the Decree. Herein the aime of the B B. was to encreaſe their authority, & to recouer that which the Pope had vſurped from them, and of the Preſidents, to grant as little as they could. But both parties did proceed cunningly, and made ſhew to regard only the ſeruice of God, and the reſtitution of the ancient Eccleſiaſticall diſcipline. The Biſhops thought they were hindered in executing their office. For when they did ſuſpend any from exerciſe of their orders, or Eccleſiaſticall degrees, and dignities, for cauſes knowen to themſelues, or did refuſe to let them paſſe to higher degrees, all was retracted, by a Licence or Diſpenſation gotten at *Rome*: which cauſed a diſreputation of the Biſhops, damnation of ſoules, and a totall ruine of diſcipline. Concerning this, the firſt head was

1551 IVLIVS 3. CHARLES 5. EDVVARD 6. HENRY 2.

made, that such Licences and Restitutions should not bee of force. But the President for the honour of the Apostolique Sea, would not haue the Pope named, nor the chiefe *Penitentiarie*, nor any ministers of the Court, from whom such Licences were wont to bee obtained. The titular Bishops did also hinder them; who beeing depriued, by a Decree published in the sixt Session, of power to exercise the pontificall office in the Dioceses, without leaue of the proper Bishop, did retire themselues, into a place exempt from all Bishopriques, admitting those to holy orders who were before reiected, as vnfit, by their owne Bishops; which they did, by vertue of a priuiledge to ordaine any that offered himselfe vnto them. This was prohibited in the second head, but with this moderation, that, for reuerence of the Apostolike Sea, mention should not be made who granted the priuiledge. And consequently in the third head, power was giuen to the Bishops to suspend, for what time they pleased, any one ordained without their examination, or with licence, by faculcie giuen by whomsoeuer. These things the wiser
344 sort of Bishops knew to bee of small weight, because the Canonists doe hold that Licences, Priuiledges, and faculties granted by the Pope, are neuer comprehended in generall words, without speciall mention bee made of them. But not beeing able to obtaine more, they were content with this, hoping that time might open them a way to proceede further.

It was also decreed in the same sixth Session, that no secular Clerke, by vertue of personall Priuiledge, nor Regular, dwelling out of the Monastery, by vigor of the Priuiledge of his order, should bee exempt from the correction of the Bishop, as Delegate of the Apostolike Sea. Which some thinking not to containe the Canons of Cathedrall Churches, and other Collegiate dignities, who, not by priuiledge, but by ancient custome, or by sentences put in execution, or by Concordates with the Bishops established and sworne, were in possession of not beeing subiect to Bishops, and others also restraining it onely to visitation, it was ordained in the fourth head, that, concerning secular Clerkes, it should bee extended to all times, and all sorts of excesses, and declared that none of the things aforesayd should withstand.

Aother disorder as great did arise, because the Pope did grant a Iudge, at the election of the supplicant, to whosoeuer did seeke it by the ordinarie meanes vsed in Court, with authoritie to defend, protect, and maintaine him in possession of his rights, and to remooue the molestation giuen him, extending also this fauour to all his domestiques. And this sort of Iudges were called *Conseruators*; who did stretch their authoritie, in place of defending the supplicant from molestations, to withdraw him from iust corrections, and also, at their instance, to molest and trouble the Bishops, and other Ordinary Ecclesiasticall superiours, with censures. The fifth point made prouision against this disorder, ordaining that *Conseruatorie graces* should not helpe any body, nor free him from inquisition, accusation, and conuention, before the Ordinary, in criminall and mixt causes, and in ciuill also, in which hee is plaintife: and, in other causes, if the *Conseruator* bee suspected, or difficultie arise betweene him and the Ordinary, who is competent Iudge, that arbitrators shall bee chosen, according to the forme of the Law; and

that

that Conſeruatory letters which comprehend domeſtiques, ſhall bee extended but vnto two, who doe liue at the charge of the Maſter of the familie; and that theſe and the like *graces* ſhall not continue aboue fiue yeres, and that the *Conſeruators* ſhall not haue Tribunals. But the Synod did not meane to containe in this Decree Vniuerſities, Colledges of Doctours, and ſchollers, places of Regulars, and Hoſpitals. Concerning which exception, when this point was handled, there was very great contention, it ſeeming to the Biſhops, that, againſt all right, the exception was larger then the rule, becauſe the number of Doctors, Schollers, Regulars, and Hoſpitalaries, is greater then of all others, who can haue *Conſeruatorie* letters, and that the prouiſion againſt any particular man was eaſie, but the diſorders of Vniuerſities and Colledges, were of the greateſt importance. The Legate gaue an account heereof to *Rome*: where it beeing decided, by that which was conſulted vnder *Paul* the third, that it was neceſſary, for maintenance of the Apoſtolique Sea, that the Friars, and Vniuerſities, ſhould totally depend on *Rome*, there was no neede of a new determination: and immediately anſwere was made, that the *Conſeruatories* of theſe, ſhould, by no meanes, be touched. Whereupon the Fathers of the Synode, who were adherents of *Rome*, beeing entred into this opinion, the others, who were fewer, were forced to be content with the exception, and there was ſome hope, and ſome meanes vſed to pacifie them. 1551 IVLIVS 3. CHARLES 5. EDVVARD 6. HENRIE 2.

The ſixth point was concerning the Prieſts apparell: wherein it was eaſily concluded to ordaine, that all the Eccleſiaſtiques of holy Order, or Beneficed men, ſhould be bound to weare an habite fit for their degree, according to the appointment of the Biſhop, giuing him power to ſuſpend the tranſgreſſours, if, after admonition, they ſhall not obey, and to depriue them of their Benefices, if, after correction, they ſhall not amend; renewing herein the conſtitution of the Councel of *Vienna*; which notwithſtanding was not much fitted to thoſe times, prohibiting vpper garments laced, and of diuers colours, and frockes ſhorter then the veſtment, and red or greene breeches, things diſuſed, which haue no need of prohibition.

The vſe of all Chriſtian Nations was moſt ancient, that, to imitate the mildeneſſe of CHRIST our LORD, all the Miniſters of the Church ſhould be neat and cleane from mans blood, neuer receiuing to any Eccleſiaſticall order, any perſon defiled with homicide, whether voluntary or caſuall: and, if any Clerke committed any ſuch exceſſe, either willingly or by chance, all Eccleſiaſticall function was immediately taken from him. This hath beene, and is now, inuiolably obſerued by other Chriſtian Nations, vnto whom diſpenſations againſt the Canons are vnknowne; but in the Latine, where rich men may eaſily make vſe of them, it is obſerued onely by the poorer ſort. It being propoſed in the fourth and fifth Article to moderate the abuſe, it was ordayned in the ſeuenth head, that a voluntary homicide ſhould for euer remaine depriued of all Order, Benefice, and Eccleſiaſticall office; and when there ſhall bee cauſe to diſpence with the caſuall homicide, the commiſſion of the diſpenſation, ſhall bee directed to the Biſhop onely, or, if there bee cauſe to the contrary, to the Metropolitane, or next Biſhop. They ſaw that this Decree, did not ſerue to moderate the a-

1551
Iulius 3.
Charles 5.
Edvvard 6.
Henry 2.

buſes, but to make the diſpenſations dearer. For the Popes hands, were not tied concerning voluntary homicide; and for caſuall, the decree was obſerued, in not committing the cauſe to any but the Biſhop, but to diſpence directly, without committing it to another, was not taken away, firſt making the proofes in *Rome*, or diſpatching the diſpenſations vnder the name of *Motu proprio*, or with other clauſes, with which the Chancery doth abound, when it hath cauſe to vſe them.

A certaine ſort of Prelates ſeemed to hinder much the authority of Biſhops, who, for their reputation, in the place where they dwelt, obteined power of the Pope, to puniſh the faults of the Eccleſiaſtiques of that place; and ſome Biſhops alſo, pretending that their Prieſts receiued ſcandall and bad example from thoſe of the next Dioceſſes, obtained authority to chaſtiſe them. Some deſiring that this diſorder ſhould bee remedied, by reuoking wholy ſuch authorities, and perceiuing that it would diſtaſt many Cardinals, and great Prelates, who abuſed them, they found a moderation, that they ſhould vſe them, yet without preiudice of the Biſhop, ordayning in the eighth point, that they might not proceede but in preſence of the Biſhop, or his deputy. There was another way to ſubiect the Churches and people of one Dioceſſe, to the Biſhop of another, by vniting the Churches of one, to the Churches or Benefices of the other: which though it were prohibited in generall termes, in the ſeuenth Seſſion, yet it beeing not ſo plainely done as ſome deſired, an expreſſe declaration was demanded. Whereupon it was reſolued in the ninth point, that all perpetuall *vnions* of the Churches of one Dioceſſe, to the Churches of another, ſhould be prohibited, vnder what pretence ſoeuer.

The Regulars made great inſtance to keepe their Benefices, and to regaine thoſe which they had already loſt, by the inuention of perpetuall *Commendaes*; and many Biſhops, for ſundry reſpects, were willing to aſſiſt them. They were deſirous to propoſe, that theſe perpetuall *Commendaes* ſhould bee quite taken away; but, fearing to be contradicted, they were content onely to deſire they ſhould bee moderated. The Preſidents, on the other ſide, ſeeing the hazard, that this matter, dangerous for the Court, ſhould bee ſet on foot, themſelues propoſed a light remedy, to hinder all treatie of a better. And this was, that Regular Benefices, vſually giuen in title to religious men, when they ſhall bee vacant hereafter, ſhall not bee conferred but vpon men profeſſed of that Order, or to ſome perſon who is to receiue the habite, and take vpon him the profeſſion. This was the tenth point, which did not much import the Court of *Rome*, in regard as many *Commendaes* were already made as could be; and the Prelates had no great deſire to obtaine more, though it would haue beene an honour for the Churches, if the regular Abbats had reſided. But, in regard of the fauour extended to the Monkes, not to take more from them then was taken already, a counterpoize was added in the next point, ordaining that they could not haue ſecular Benefices, though with cure. Which howſoeuer it ſpeaketh onely of thoſe who are tranſlated from one order to another, ordayning that none ſhould bee receiued, but with condition to remaine in the Cloyſter, yet by parity of the reaſon, or by an argument of greater reaſon, it hath beene vnderſtood generally

of

of all. And becauſe the patronage of Churches, was granted in Court by *grace*, and, to make the *grace* the greater, power giuen to depute an Eccleſiaſticall perſon, with faculty to inſtitute him that is preſented; this diſorder was remedied in the twelfth head, ordaining that none ſhould haue right of Patronage but the founder of the Church, or hee that hath competently indowed, with his patrimoniall goods, one alreadie founded. And for remedie of the ſecond diſorder, it was forbid in the 13. head, that the Patrone, though hee had a priuiledge to doe it, ſhould not make the preſentation to any but the Biſhop. 1551 IVLIVS 3. CHARLES 5. EDVVARD 6. HENRY 2.

While theſe things were handled, *Iohannes Theodoricus Pleniagorus*, and *Iohannes Eclinus*, Ambaſſadours, ſent by the Duke of *Wittenberg* to the Councell, arriued in *Trent*, with order to preſent publiquely the confeſſion of their doctrine, whereof mention hath beene made, and to ſay withall, that Deuines would come to expound it more at large, and defend it, if ſecurity and ſafe conduct were giuen them, according to the forme of the Councel of *Baſil*. They went to the Count *Montfort*, the Emperours Ambaſſadour, ſhewed him their *Mandate*, and told him they had commiſsion to propoſe ſome things in the Councell. This being related by the Count to the Legate, he anſwered, that as other Ambaſſadors did firſt preſent themſelues to the Preſidents, in name of the Pope, and did ſignifie to them the ſumme of their Ambaſſage, ſo thoſe of *Wittenberg* ought to doe: hee therefore wiſhed they ſhould come, and promiſed to receiue them with all humanity. The Count related the anſwere; wherewith the Ambaſſadours were not contented, ſaying, That it was one of the points required in *Germanie*, that the Pope ſhould not preſide; which not beeing willing to contradict, without order from their Prince, they would write, and expect an anſwer. The Count did cunningly aſſay to learne the whole ſecret of their inſtructions, to aduertiſe the Legate of it. But they ſtood vpon generall termes, and would not ſpecifie any particular. The Legat ſent immediatly aduiſe hereof to *Rome*, deſiring to know what hee ſhould doe, and the rather, becauſe he vnderſtood that others would come alſo.

The Ambaſſadors of the Duke of *Wittenberg* arriue in *Trent*, with commiſsion to preſent the confeſsion of their faith.

Whereof the Legat giueth an account to Rome.

In the beginning of Nouember, the Emperour, to be neere the Councell, and the warre of *Parma*, went to *Iſpruc*, diſtant but three daies iourney from *Trent*, the way being ſo commodious, that, if there were occaſion, he might heare from his Ambaſſadours in one day. The Pope had newes at once of the arriuall of the Emperour, and of thoſe of *Wittenberg*. And although he truſted vpon the Emperours promiſes, made to him before the conuocation of the Councell, and often reiterated, and ſaw the effects, becauſe his Ambaſſadours curbed the Spaniards, when they were too bold in maintaining the Epiſcopall authoritie, and was perſwaded he would perſeuere, in regard of their common intereſts againſt the French King, yet hauing heard of ſome things handled in *Germanie*, hee was a little iealous, that, either for neceſsitie, or for ſome great opportunitie, which occurrences might bring, he would change his opinion. Yet he tooke courage; conſidering, that if there were warre in *Germanie*, no account would be held of the Councell, and during peace, all the *German* Eccleſiaſtiques would be on his ſide, as alſo the *Italian* Prelats; whoſe number hee could eaſily encreaſe, by ſending thither all

The Emperor goeth to *Iſpruc*, diſtant from the Councell but three daies iourney.

Which maketh the Pope ſomewhatiea- lous of him.

1551
Iulivs 3.
Charles 5.
Edvvard 6.
Henry 2.

all thoſe of the Court: that the Legat being reſolute, and hoping to be Pope, would labour as for himſelfe, and that the *Nuncio* of *Siponto* was moſt effectionate to his perſon: that he might at any time be reconciled with *France*, becauſe it was deſired by that King, by meanes of whom, and of the Prelates of his kingdome, hee might withſtand all attempts made againſt his authoritie.

The anſwere of his Holineſſe made to the Legate.

He anſwered the Legate, that he could giue him but little inſtruction more; that he was not onely acquainted with, but principall Author of the Treaties made in framing the Bull of the Conuocation; that he ſhould remember that the things decreed vnder *Paul*, where ſtudiouſly approoued therein; that it was ſaid that it did belong to the Pope, not onely to call, but alſo to direct Councels, and to preſide by his miniſters, and that hee ſhould not leaue open ſo much as any little chinke, in preiudice of any of theſe. For the reſt he ſhould gouerne himſelfe according to occaſions, putting him in mind to fly, as the Plague, all middle counſels, and moderations, when any of theſe were handled, but ſo ſoone as the difficultie did ariſe, to breake it off ſuddenly, that the aduerſaries might not haue time to looke farre into it. That he would not lay on his ſhoulders the *Tranſlation*, or diſſolution of the Councell, but onely that hee ſhould ſpeedily aduertiſe when he ſaw cauſe. Furthermore, that he ſhould ſet on foot as much matter of doctrine as hee could, which would worke many good effects. For it would make the Lutherans deſpaire of concord, without their totall ſubmiſſion, would intereſt the Prelats more againſt them, would not giue time to theſe to thinke on the point of reformation, and make a ſudden diſpatch of the Councell; a matter of the greateſt importance, becauſe there is danger of ſome inconuenience ſo long as it laſteth. And when hee ſaw himſelfe forced to giue them ſome ſatisfaction, in amplifying the Epiſcopall authoritie, he ſhould condeſcend, and yet hold backe as much as might be. For in caſe ſome thing ſhould bee granted preiudiciall to the Court, as formerly hath beene done, yet ſo long as the Popes authoritie remaineth intire, there will be meanes to reduce them eaſily to their firſt ſtate.

The Seſſion of the 25 of Nouember.

Things ſtanding thus, the 25. of Nouember, the day appointed for the Seſſion, came. The Fathers met, and went to Church in the vſuall order: where the ceremonies beeing finiſhed, the doctrine of faith, the *Anathematiſmes*, and decree of the *Reformation* were read by the Biſhop that ſaid Maſſe. The tenour whereof being already recited, there remaineth nothing elſe to be ſpoken. And finally, the laſt decree was read, to giue order for the future Seſſion; in which it was ſaid, that, it being already appointed for the 25. of Ianuary, the Sacrament of Order ought then to bee handled, together with the Sacrifice of the Maſſe. So the Legate would haue it pronounced, that, according to the Popes opinion, they might haue matter of doctrine enough, whereon to treat. The Seſſion being ended, the Legate vſed all diligence that the Decrees might not be printed. And his order was obſerued at *Ripa*, where the Preſſe was, and where the other Decrees were printed. But no man could hinder the ſending of many copies out of *Trent*; whereupon they were printed in *Germanie*, and the difficultie and delay to let them ſee light, made the Critiques curious, and diligent to examine them more exactly, to finde the cauſe of this ſecrecy.

The decrees are forbid to be publiſhed, but are printed in *Germany*.

That

That which was decided in the first point of doctrine, and the first Canon, caused much speech: thatis, that CHRIST, when he breathed on his Disciples, and gaue them the holy Ghost, saying, *Whose sinnes you remit they are remitted, and whose sinnes you retaine, they are retained*, did institute the Sacrament of *Penance*. It was considered, that *Baptisme* was first vsed by the *Iewes*, for legall cleanlinesse, afterwards applyed by Saint *Iohn* for a preparation to go to the Messias which was to come, and finally by CHRIST, in expresse and plaine words, instituted a Sacrament, for remission of sinnes, and an entrance into the Church: ordaining it should bee ministred in the name of the Father, Sonne, and holy Ghost. Likewise in the captiuitie of *Babylon* a *Posticenium* was instituted by the Iewes, with bread and wine, for a thankes-giuing and memoriall of their going out of *Egypt*, while, being out of the land of promise, they could not eate the Paschall Lambe: in imitation of which rite CHRIST instituted the Eucharist, to giue thankes to GOD, for the generall deliuerance of mankind, and in memorie of himselfe, who was the Author thereof, by the sprinkling of his blood. And howsoeuer like rites haue beene formerly vsed, though for other ends, as hath beene saide, yet the Scripture doth expresse all the singularities of them. Now that CHRIST would introduce a rite to confesse our sinnes in particular so exactly, as that no vse was euer the like, it seemed strange that hee would bee vnderstood by words, from which it must bee drawne by a very vnioynted consequence, yea by many consquences, very farre fetcht, as was done by the Councell. And they wondred, why, the institution being made by the word *remitto*, the forme was not, *I remit thy sinnes*, rather then *I absolue thee*. Others added, that if, by those words, a Sacrament of absolution is instituted, with this forme, *Absoluo te*, by which one is absolued, one must say, by an vnresistable necessitie, that another, or the same, is instituted, in which, this forme should likewise bee, *Ligo te*: because it cannot bee vnderstod how the same authoritie *to loose and binde*, founded vpon the words of CHRIST absolutely alike, doeth require in absolution the pronouncing of the wordes, *Absoluo te*, and that other of binding doeth not require the pronouncing of the words, *Ligo te*: Nor by what reason, to execute that which CHRIST hath said, *Quorum retinueritis, &c. & quæcunque ligaueritis, &c.* it is not necessarie to say, *Ligo te*, but to execute *Quorum remiseritis, & quæcunque solueritis*, it is necessarie to say, *Absoluo te.*

1551
IVLIVS 3.
CHARLES 5.
EDWARD 6.
HENRY. 2.
And there censured.

Likewise the doctrine, inferred in the fifteenth point, was censured by critiques: where it is saide, that CHRIST by the same wordes, did constitute the Priests, iudges of sinnes, and therefore that it is necessarie to confesse them all absolutely, and in particular, together with the circumstances which alter the kinde, seeing that it doeth appeare by the words of our Lord, that he hath not distinguished two sorts of sinnes, one to bee remitted, and the other to bee retayned, whereby it would bee necessarie to know of which the delinquent is guiltie, but one onely which doeth comprehend all; and therefore the word *Peccata* in generall is only vsed. But hee hath distinguished two sortes of sinners, saying *Quorum & Quorum*: one of the Penitent, vnto whom remission is granted, another of the obstinate, vnto whom it is denyed. Therefore they are rather to know the state of the delinquent, then

1551
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

then the nature and number of the ſinnes. But concerning the circumſtances which alter the kinde, it was ſaid, that euery honeſt man may ſweare, with a good conſcience, that the holy Apoſtles, and their Diſciples, moſt skilfull in things celeſtiall, not regarding humane ſubtilties, did neuer knowe what were the circumſtances which alter the kinde, and perhaps if *Ariſtotle* had not made this ſpeculation, the worlde would not haue knowen it vntill now; and yet there is made of it an Article of faith, neceſſary to ſaluation. But as it was approoued, that *Abſoluo*, was a iudiciall word, and reputed a good conſequence, that if the Prieſts doe abſolue, they are iudges, ſo it appeared to bee an inconſtancie, to condemne thoſe who ſay, it is a naked miniſtery to pronounce; it being plaine, that the office of a Iudge is nothing but to pronounce him innocent who is ſo, and the tranſgreſſor guilty, and that this metaphore of the Iudge doth not beare, that the Prieſt can make a iuſt man of a delinquent, as is aſcribed to him. The Prince may pardon offenders, and reſtore them to their good name; to whom, hee that maketh a wicked man iuſt, is more like, then to a Iudge, who doeth euer tranſgreſſe his office, when hee pronounceth any thing but that which hee firſt findeth to bee true. But they were amazed moſt of all, when they read the poynt where the ſpecificall and ſingular confeſſion of ſinnes, with the circumſtances, is prooued; becauſe the iudicature cannot bee executed without knowledge of the cauſe, nor equity obſerued in impoſing puniſhment, if the faults be knowen onely in generall, and afterwards that CHRIST hath commanded this confeſſion, that they may impoſe the cõdigne puniſhment. They ſaid that this was plainly to mocke the world, and think all men fooles, & to perſwade themſelues that all their abſurdities ſhould be beleeued, without more to doe. For who knoweth not, and ſeeth not dayly, that the *Confeſſors* enioyne *Penance*, not onely without weighing the merit of the faults, but without hauing the leaſt conſideration of them. It would ſeeme, conſidering the words of the Councell, that the *Confeſſors* ſhould haue a balance, to make difference of euery graine; and yet oftentimes to recite fiue *Pater-noſters*, ſhall bee a *Penance* for many murders, adulteries, and thefts: and the moſt learned *Confeſſors*, and generally all, in giuing *Penance*, doe ſay to euery man, that they doe impoſe onely part of the *Penance*. Therefore it is not neceſſary to impoſe that exact *Penance* which the faults doe deſerue, nor to haue a particular enumeration made of the ſinnes and circumſtances. But what neede one goe ſo farre, when the ſame Councell, in the ninth point of the doctrine, and the thirteenth *Anathematiſme*, doth ordaine, that ſatisfaction is made by voluntary *Penance*, and ſuffering of aduerſities. Therefore it is not needfull, yea not iuſt, to impoſe in *Confeſſion* the puniſhment which is correſpondent, and, by conſequence, not to make a ſpecificall enumeration, which is ſaid to bee ordained for this end. And they added, that, not conſidering any thing ſpoken before, the *Confeſſor*, though moſt learned, attentiue, and wiſe, hauing heard the *confeſſion* of an ordinary man, for one yeere, much more of a great ſinner, for many yeeres, it is impoſſible hee ſhould iudge aright, though hee had Canons of the puniſhment due to any ſinne whatſoeuer, without danger to erre more then halfe, to ſpeake the leaſt. For a *Confeſſor*, ſeeing all in writing, and conſidering many dayes of it, could not make a balance to

decide

decide iuſtly, much leſſe hearing, and reſoluing preſently, as the cuſtome is. They ſaid it was not fit they ſhould be ſo contemned, and held ſo inſenſible, as to beleeue ſuch abſurdities. Of the *reſeruation* of *caſes*, enough was ſaid by the Diuines of *Louaine*, and *Collen*, which was attributed to a deſire of domination and to auarice. 1551 IVLIVS 3. CHARLES 5. EDVVARD 6. HENRY 2.

The next day there was a generall Congregation, to giue order for the diſcuſſion of the *Sacrifice* of the *Maſſe*, and the *Communion* of the *Cup*, and of Children. And although the Decrees were already made, for the Seſſion of the eleuenth of October, and deferred, yet they diſcourſed againe, as if nothing had beene ſaid, and did chooſe Fathers to collect the Articles to bee diſputed on, and others to make the Decree. And becauſe they made haſt, ſeuen Articles were ſuddenly framed, whereon they diſputed, twiſe euery day: in which number was the Ambaſſadour of *Ferdinand*, and *Iulius Plugius*, Biſhop of *Namburg*, and, for greater reputation, the Electour of *Collen*, that all that doctrine might ſeeme to come from *Germanie*, and not from *Rome*. They made alſo thirteene *Anathematiſmes*, condemning thoſe for heretiques, who doe not hold the Maſſe for a true and proper *Sacrament*, or doe ſay it doth not helpe the liuing and the dead, or doe not receiue the Canon of the Maſſe, or doe condemne priuate *Maſſes*, or the ceremonies which the Church of *Rome* vſeth. And then foure Heads of doctrine were made. That in the Maſſe, is offered a true and proper Sacrifice, inſtituted by CHRIST; of the neceſſity of the Sacrifice of the Maſſe, and how it agreeth with that of the Croſſe; of the fruits of that Sacrifice, and the application thereof; of the rites and ceremonies of the Maſſe. All which were to bee handled againſt Chriſtmaſſe, and are not related heere particularly, becauſe they were not publiſhed in the next Seſſion. The Sacrifice of the Maſſe, the communion of the Cup, and of children, are handled.

While the Fathers doe entertaine themſelues in the buſineſſe of the Councel, the Ambaſſadors of *Wittenberg*, did receiue letters from their Prince, to proceed, and preſent their doctrine, in the beſt manner they could. Therefore, in the abſence of the Earle of *Montfort*, they entreated the Cardinall of *Trent*, to bee a meanes, that the Preſidents would receiue their letters, aſſemble the Fathers, and giue them audience. The Cardinall promiſed all good office, but ſaide it was neceſſary to tell the Legate what they would treat on; it being ſo conſtituted by the Fathers, mooued thereunto by the propoſition made by the Abbat of *Belloſana*. Therefore they imparted to him their inſtruction, ſaying, they were ſent to obtaine a Safe Conduct for their Theologues, as it was giuen in *Baſil* to the *Bohemians*, and to propoſe their doctrine; that, it beeing examined by the Fathers, they might be ready to conferre with their Diuines, when they came. The Legate, receiuing this relation from the Cardinall, imparted to him what the Pope had written, and told him that it was not to bee ſuffered, that either they or any other Proteſtants, ſhould preſent their doctrine, much leſſe bee admitted to defend it, in regard there would bee no end of contentions: that it was the office of the Fathers, which was obſerued vntill then, and ought to be continued, to examine their doctrine, taken out of their bookes, and condemne that which did deſerue it. If the Proteſtants had any difficulty, and did propoſe it humbly, and ſhew themſelues willing to receiue inſtruction, it ſhould bee giuen, The Ambaſſadours of *Wittenberg* receiue letters from their Princes, with order to proceed in their negotiation. The anſwere of the Legate to their propoſitions.

by

1551
Iulius 3.
Charles 5.
Edward 6.
Henry 2.

by aduice of the Councel. Therefore hee denied abſolutely to aſſemble the Fathers, to receiue their doctrine, and ſaid he could not change this opinion, though it ſhould coſt him his life. For altering the ſafe conduct, he ſaid it was an exorbitant indignitie to the Councel, that they ſhould miſtruſt that which was granted, and that to treat thereof was an vnſupportable iniury, and deſerued that all the faithfull ſhould ſpend their liues in oppoſing it.

Is fauourably related to the Ambaſſadors by the Cardinall of *Trent*.

The Cardinall of *Trent* would not giue the anſwere ſo ſharpe to the Ambaſſadors; but ſaid: That the Legate was angry, that they would begin with the preſentation of their doctrine, in regard they were to receiue from their Superiors, with reuerence and obedience, the rule of faith, and not preſcribe it to others, with ſuch an vnſeemelineſſe, and abſurditie. Therefore he aduiſed them to let that day paſſe, that the wrath of the Legat might be remitted, and then to begin with ſome other point, that afterwards they might fall vpon thoſe two: that is, to preſent their doctrine, and deſire a ſafe conduct. They followed this counſell, and, a few daies after, the Cardinall being parted from *Trent*, they deſired the Emperours Ambaſſadour to perſwade the Legate to receiue their mandate, and heare their propoſition, that, vnderſtanding his mind, they might reſolue, as they ſhould haue inſtruction from their Prince. The Ambaſſadour treated with the Legate, and had the ſame anſwere which was giuen to the Cardinall of *Trent*; which did not proceed from diſdaine, but from a reſolued wil. The Ambaſſador, vnderſtanding the Legats mind, was of opinion that the buſineſſe could not then take place, and knowing that to relate the anſwere was diſhonourable for the Emperour, who had ſo largely promiſed, that euery one ſhould be heard, propoſe freely, and conferre, in ſtead of giuing a direct anſwer to thoſe of *VVittenberg*, he found diuers excuſes, to gain time, which he did not ſo artificially, though he were a *Spaniard*, but that they were diſcouered to be pretences, not to giue a plaine Negatiue.

At this time Ambaſſadours went to *Trent* from *Argentina*, and fiue Cities more, with inſtruction to preſent their doctrine. They imployed *Gulielmus Pictauius*, the Emperours third Ambaſſador; who, not to fall vpon the ſame difficulties which his colleague did, tooke their Mandat, and perſwaded them to expect a few daies, vntill hee had ſent to *Cæſar*, and receiued an anſwere: becauſe, in ſo doing, they ſhould proceed vpon a good ground. This made quiet thoſe of *VVittenberg* alſo. The Ambaſſadour wrote to *Cæſar*, telling him of the Ambaſſadours reſolution, ſhewing what an indignitie it was to his Maieſtie, that no account ſhould be made of ſo honeſt, and ſo iuſt a promiſe, made by him. The Emperour, to prouide againſt this diſgrace, and cunningly to make vſe of the Councell, expecting the Ambaſſadours of the Electour of *Saxonie*, wrote that the others ſhould bee entertained vntill their arriuall, aſſuring them they ſhould then be heard, and, with all charity, conferred with.

Maximilian paſſeth by *Trent*.

The thirteenth of December, *Maximilian*, the Sonne of *Ferdinand*, paſſed by *Trent*, with his wife and children, and was met by the Legat, and the Italian and Spaniſh Prelats, and ſome Germans alſo. The Prince Electors did not meete him, but viſited him in his lodging. The Proteſtant Ambaſſadours complained to him, that, notwithſtanding ſo many promiſes made by *Cæſar*, they

1551
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

they could not haue audience, and prayed him to haue pitie on *Germanie*, becauſe thoſe Prieſts, being ſtrangers, did not care, for ſome ſmall reſpects of their owne, to ſee it on fire, yea, by precipitating the determinations, and *Anathematiſmes*, did make the controuerſies euery day more hard. *Maximilian* perſwaded them to bee patient, and promiſed to treate with his vncle, that the actions of the Councell might paſſe, as he had promiſed, in the Diet, they ſhould.

And promiſeth the Proteſtant Ambaſſadors to treat with the Emperour his Vncle in their behalfe.

At Chriſtmas the Pope created foureteene Italian Cardinals, and immediately publiſhed thirteenth of them, reſeruing one to bee publiſhed when hee thought fit. And to honour ſo great a creation in the beginning of his Papacie, eſpecially there being eight and fourtie Cardinalls in the Colledge, which was then thought a great number, hee pretended occaſion to doe it for the enmitie with the French King. Of whom hee complained, as well for the warre hee made againſt the Apoſtolike Sea, as for the Edicts publiſhed, adding a report which then came from *Lions*, and *Genua*, that he threatned to make a Patriarke in *France*; which if it were true, hee ſaid it would be neceſſarie to proceed iudicially againſt him. Wherein hee ſhould meet with many difficulties, in regard of the great number of the French Cardinals, to whom it was needefull to make a counterpoiſe, by creating new, men of worth, of whom the Apoſtolike Sea might make vſe, in occaſions of importance. The Colledge was contented, and the new Cardinals were receiued. After this hee diſpatched to *Trent* the Biſhop of *Monte-Fiaſcone*, with letters of credit to Cardinall *Creſcentius*, and the three Electors; whoſe comming he did congratulate, and thanked them for their zeale and reuerence towards the Apoſtolike Sea, exhorting them to perſeuere. Hee gaue him order to tell them that hee had created Cardinals, that hee might haue Miniſters depending on himſelfe, in regard all the olde did depend vpon ſome other Prince; to excuſe him for the warre of *Parma*, ſaying that hee did not make it, but that it was made againſt him, and was forced to defend himſelfe. To Cardinall *Creſcentius* hee gaue an account of the Cardinals made, promiſing to make them all vnderſtand his minde, how they ſhould demeane themſelues towards his friend, vnto whom hee was ſo much obliged: And hee made the *Nuncio* of *Siponto* bee tolde that hee had diſpoſed of him as the friendſhip berweene them did require, and that hee ſhould not care to know wherein, but ſhould continue to performe his dutie, as formerly hee had done.

The Pope createth 14. Cardinals; & giueth a reaſon of it.

The Biſhop of *Monte-Fiaſcone* commeth to the Councell with letters of credit.

Chriſtmas being ended, a general Congregation was made, to giue forme to the handling of the Sacrament of Order. They diſcourſed of the abuſes which, in this, were entred into the Church; and the *Nuncio* of *Verona* ſaid, that there was in all ſome abuſe, worthy of amendment, but in this an ocean of them. And, after many tragicall exclamations were made, they reſolued, according to their cuſtome, firſt to propoſe the Articles drawne out of the Lutheran doctrine, and then diſcuſſe which ſhould bee condemned for hereticall, and frame the *Anathematiſmes* and Heads of doctrine, and in the end, ſpeake of the abuſes. Twelue Articles were giuen to the Diuines, whereon they diſcourſed, morning and euening. Out of the opinions of the Diuines, the Deputie Fathers framed firſt eight *Anathematiſmes*, condemning for

A generall congregation is held to ſet downe a rule for the diſcuſſion of the Sacrament of Order.

1552 IVLIVS 3. CHARLES 5. EDVVARD 6. HENRY. 2.

hereticall to say, that Order is not a true and proper Sacrament; or that it is one onely, which tendeth to Priesthood, by many meanes; to denie the *Hierarchie*; to say that the consent of the people is necessarie; to say that there is not one visible Priesthood; that Vnction is not necessarie; that the holy Ghost is not giuen in it; that Bishops are not *De iure Diuino*, and superiour to Priests. Vpon these, foure points of doctrine were made; of the necessitie and institution of the Sacrament of Order; of the visible and externall Priesthood of the Church; of the Ecclesiasticall *Hierarchie*; of the difference of a Priest from a Bishop. This doctrine and Canons, being approued by the generall Congregation, were all put into one Decree, vnder the same context: with that of the Sacrifice, to bee published in the Session. Yet it was not done, for the reasons which shall bee declared. Therefore there is no particular mention made of what did passe in the Congregations of December and Ianuarie, because the same things were discussed againe vnder *Pius* 4. in the third reduction of the Councell: vnto which when wee shall come, the differences shall be shewed betweene the Decrees framed now, and those which were after established vnder *Pius*.

Why no mention is made of what was handled in the cõgregations of December and Ianuarie.

But newes comming to *Trent* that there were leuies made of Souldiers, throughout all *Germanie*, and that there was feare of warre, the three Electors, seeing their states were in danger, craued leaue of the Emperour, by letters and Messengers, to returne, that they might preserue them. *Cæsar*, desiring the Councell should continue, answered them, in the beginning of the yeere 1552. that the troubles were not so great as the fame; that he had sent to know the trueth, and that a few men only were in Armes, but that the cities continued in their obedience, and *Maurice*, of whom the report was, that he had raised some stirres, would shortly come vnto him, and had sent Ambassadors, who were alreadie in *Ispruc*, and would shortly bee in *Trent*; that those few Souldiers, lodged in *Turmigia*, who made some excursions vpon the territorie of the Bishop of *Mentz*, did mutin for want of pay onely; that he had sent one expresly to pay them, & giue them their pasport; that he knew whatsoeuer was spoken and feared, and did not neglect any thing; that he had some in euery place to aduertize him, and did spare no cost; therefore hee exhorted them not to abandon the Councell, which would bee in danger to bee dissolued with their departure, which would giue a great blow to Religion: and if their states want any prouision let them commaund their Ministers, and giue him notice, and hee will giue them all assistance.

The Electors craue leaue to depart.

1552

Wolfius Colerus, and *Leonardus Badehornus*, Ambassadors for *Maurice*, Elector of *Saxonie*, arriued in *Trent* the 7. of Ianuary; which gaue great ioy to the Electors and German Prelates, being assured hereby that *Maurice* did not attempt any thing. They first treated with the Emperours Ambassadors, saying, that their Prince, desirous of concord, determined to send to the Councell some godly Diuines, men louing peace, which the other Protestant Princes would doe also; but that a safe Conduct was first necessarie, in the forme of that of *Basil*, and that, in the meane while, all treatie in the Councell should cease, and that, after their arriuall, the things alreadie handled should bee reexamined, it not being a generall Councell without the presence

The Ambassadors of *Saxony* come to *Trent*

Their negotiation.

1552. IVLIV. 3. CHARLES 5. EDVVARD 6. HENRY 2.

sence of all nations; that the Pope should haue no power to preside, but should submit himselfe to the Councel, and release the oath to the Bishops, that their voyces may bee free. They added, that, in the Congregation, they would expound all more at large, which they desired should bee assembled quickly, because their Diuines were within the distance of fourtie miles, and did expect onely to be called. The Emperors Ambassadours gaue good words, because the Emperour, to entertaine *Maurice*, commaunded they should bee well vsed. These Ambassadours treated in the same maner with the Prince Electors, and Cardinall of *Trent*, but refused to treat with Cardinall *Crescentius*, and his Colleagues, that they might not seeme to acknowledge them for Presidents. They desired to bee admitted in publique, to present their *Mandate*, and to bee receiued as those of the Elector of *Brandeburg* had been; whereof the Emperours Ambassadours gaue them hope, and promise, that they might entertaine them. But, on the other side, the Legate and *Nuncij* did plainely refuse to alter the forme of the safe Conduct, saying, it was too much dishonourable for the Synode, which representeth the Catholike Church, that foure Sectaries should make difficulty to beleeue it; neither would they stop the course of the Decrees, already put in order with maturitie. And what hope can there bee of the conuersion of *Germanie*, when they come with these demaunds. And, for hearing them in publike, it was iust, because it was promised; but beeing sent to the Councell, of which they see and know that the Legate and *Nuncij* are Presidents, they must acknowledge them for such, or else they cannot bee admitted; for so they had speciall commission from the Pope, when those of *Wittenberg* came; that to release oathes, and such like impieties, they would rather die, then cause to be done: and that they would sooner depart, dissolue the Councell, and command the Prelates not to assist at any acte. The Emperour, enformed hereof, who tooke the businesse to the heart, was offended with the obstinacie of the Papalins, who, vpon a nice point of honor, would disturbe a businesse of that consequence, and raise a warre, which, in the ende, might be their owne ruine. And hee sent backe order to his Ambassadours, and the Cardinall *Madruccio*, to vse all meanes, and his owne authoritie also, to pacifie the Legate, first with intreaties, then with high words, if they could not finde a temper, which might satisfie both parties, and to force the presidents, in a ciuill manner, to yeeld to that which was iust.

The answere of the Legate and *Nuncij*.

Offendeth the Emperour.

The Emperours Ambassadours, and *Madruccio*, aduising together, resolued not to demand of the Presidents all at once, but first, onely to receiue the Ambassadours; wherein they vsed long perswasions, which did all tend to shew, that when they were brought into the assembly, where themselues are Presidents, it might be said, that their Presidencie was acknowledged, though before no particular complement had been vsed with them. To the perswasions, they added intreaties in the Emperours name, mixed with some words, signifying that it was not fit to abuse his clemencie, nor to force him to vse other remedies; that necessity was a potent incitation, to him that had power in his hand. In the end *Crescentius* suffered himselfe to be perswaded to receiue them, not in Session, but in a publike generall Congregation in his house, thinking that thereby he should be acknowledged as Head. His edge

1552
Iulius 3.
Charles 5.
Edward 6
Henry 2.

being thus abated, they came to ſpeake of ceaſing to treate of the points of doctrine. *Toledo* ſaid, that he had heard it often preached, that the ſauing of one ſoule was ſo deare to Christ, that hee would deſcend againe, and ſuffer on the croſſe to gaine it; and now that they refuſed to ſaue all *Germanie*, where was the imitation of Christ? The Legate excuſed himſelfe vpon the abſolute commaunds of the Pope, which hee muſt needes obey. But the Ambaſſadour replying, that, to a Miniſter, inſtruction is giuen in writing, and matters of diſcretion are referred to iudgement, the Legate ſayd, that hee ſaw well, that this was a degree to demaund a retractation of the things already decided. The Ambaſſadour gaue his word that hee would neuer ſpeake of that, yea, would deale effectually with the Saxons, to make them deſiſt from that requeſt. In the ende, the Legate, perſwaded by the *Nuncio* of *Verona*, who ſuffered himſelfe to bee ouercome firſt, not to lay (hee ſayd) on the Popes backe and the Councels ſo great a burthen, that ſo important a buſineſſe ſhould bee precipitated, and ſo ſmall a delay denied, condeſcended to ſay, that hee was content, ſo that the Prelates, in the generall Congregation, did approoue it; to whom alſo hee referred himſelfe for the ſafe conduct, which they required.

At the inſtance of whoſe Miniſters they change their opinion.

The Congregation was called, to conſult vpon theſe particulars; and the delay was eaſily granted, vpon the perſwaſions of the Imperialiſts. For the ſafe conduct, the conſultation was more hard, not onely for the reaſon alleadged by the Legate, but becauſe the name of the Councell of *Baſil*, and the referring themſelues to it, was abhorred; and, which did more import, they thought that ſome things might fit thoſe times, and not theſe, becauſe the doctrine of the Bohemians was not ſo contrary to the Church of *Rome*. Notwithſtanding all theſe oppoſitions, the authoritie of the three Electors, and of the Cardinall *Madruccio*, and the negotiation of the Emperours Ambaſſadours preuailed.

But *Petrus Tagliauia*, Archbiſhop of *Palermo*, ſaide, that one very principall point was omitted, whether it ſhould bee allowed, that they ſhould ſit in the Councel, or not, and what termes of honour ſhould be giuen them, and their Prince. For to vſe them meanely would breake off the buſineſſe, and to honour manifeſt heretiques, would bee a great preiudice. The ſame, and greater conſideration muſt bee had, how to behaue themſelues towards the Diuines which are to come, who pretend to haue a voice, and will bee a party in diſputations and conſultations, nor will be eſteemed, as the Church muſt eſteeme them, that is, as heretiques, excommunicated, and condemned, with whom it is not lawfull to treat, but only to inſtruct them, if they humbly craue it, and pardon them by fauour. Concerning this propoſition, much was ſaid of the variety of times, vnto which all lawes muſt be accommodated; that the ſame Popes which did conſtitute thoſe *Decretals*, would not obſerue them in theſe occaſions; that nothing is more eaſily broken, then that which is moſt hard. Which reaſons, though they perſwaded the maior part, yet they knew not what to reſolue. It ſeemed, that to determine what rigor of the law was to bee retained, and what to bee mitigated, was a matter of much and long conſultation, not to bee reſolued on without the Pope and Colledge of Cardinals, which the ſtraightneſſe of time could not ſuffer

A conſultation about the maner of receiuing the Proteſtants in Couucel.

suffer. When all were doubtfull, the Bishop of *Namburg* opportunely said, that necessity did excuse euery transgression, and that, in the *Colloquies* and *Diets* of *Germany*, these things were maturely considered on, and so decided. But, for more assurance, it was good to make a Protestation before, that all was done for charity, and piety, which are aboue all law, and to reduce those that wander, and that it is vnderstood to bee done without preiudice, with those clauses which the Lawyers know how to find. This opinion was readily embraced, first by the Dutch, then by the Spanish Prelates, and at last, somewhat coldly, by the Italians, the Legate remayning immooueable, and shewing plainely that hee stood quiet, being forced by necessity. These resolutions beeing setled, it was resolued that, the 24. of the moneth, there should be a generall Congreagation, to receiue and heare the Saxon Ambassadours, that the 25. day the Session should bee held, wherein the dilation, made vntill the comming of the Protestant Diuines, should bee published, and Fathers elected, who, together with the *Nuncio* of *Siponto*, should make the Decree, the Protestation, and the Safe Conduct. The Emperours Ambassadours desired to haue the draught of the Safe Conduct, before it was published, to shew it the Protestants, that, if it did not giue them satisfaction, it might bee so amended, that they might not haue occasion to refuse it as they did the other.

1552
IVLIVS 3. CHARLES 5. EDVVARD 6. HENRIE 2.

The dayes following, were spent in the things aforesaid; which beeing finished, the Emperours Ambassadours called the Protestants to them; and the Ambassadour *Pictauius*, hauing made an eloquent encomiastique oration, of the goodnesse and charity of the Fathers, and exhorted them to giue some little part of satisfaction to the Councel, as they receiued much from it, told them that it was concluded to receiue their *Mandats* and persons, and to heare their propositions, and to deferre the conclusion of the points of doctrine, though already discussed and digested, to expect the Diuines, and heare them first. That they should haue a very ample Safe Conduct, as they desired, whereof the draught was made. And hee was copious in shewing that these were memorable fauours and graces, saying, it was necessary to yeeld something to the time, and not to desire all at once; that when they shall bee entred into the businesse, occasion will make them obtaine many things, which before seemed hard; that the Fathers doe desire the comming of the Diuines; that themselues, the Emperours Ambassadours, haue maiters to propose of great moment, and doe stand onely expecting that the Protestants should beginne, that afterwards they may come foorth themselues also. For this cause he prayed them to proceed slowly, in their demand, that the Pope should submit himselfe to the Councel. For the Fathers doe know, that there is some thing to bee amended in the Papall greatnesse, but withall, that they must goe on cunningly; that themselues haue daylie experience, what dexterity and art must bee vsed, in treating with the Popes ministers. Likewise the reexamination of the things already concluded, was not to be proposed in the very beginning, because it would bee too great an infamy and dishonour to the Councel. Therefore let their Diuines come, who should haue a conuenient audience in all things, and when they shall see themselues wronged, it shall euer be free for them to depart. The Protestants

An exhortation of the Emperours Ambassador *Pictauius* to the Protestants.

1552
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

ſtants, retiring themſelues, and conſidering the draught of the Safe Conduct, were not content, becauſe it was not like to that of *Baſil*, in which foure things more were granted to the *Bohemians*. 1. That they ſhould haue a deciſiue voice. 2. That the holy Scripture, the practiſe of ancient Church, the Councels, and interpreters, conformable to the Scripture, ſhould be iudges. 3. That they might exerciſe their religion in their houſes. 4. That nothing ſhould bee done in contempt and diſdaine of their doctrine. Of theſe foure, the ſecond was different from that which was granted in this draught, and the three others were totally left out. They ſuſpected alſo, becauſe the Councel did not promiſe them ſecurity in the name of the Pope & Colledge of Cardinals, as did that of *Baſil*. Yet they reſolued not to make mention of this, but to demand the inſerting of the other 4. clauſes: and told the Emperors Ambaſſadors plainely, that they could not receiue it in this forme, becauſe they had this expreſſe commiſſion in their inſtructions. *Toledo* ſhewed ſome diſdaine, that they ſhould not content themſelues, with that which hee, and his colleagues, had obtained, with ſo much paines; that the chiefe importance was in the ſecurity of comming and departing, and that the reſidue appertained to the manner of their negotiation, which might more eaſily be concluded by the preſence of the Diuines; that it was too much obſtinacy to yeelde in nothing, and to deſire to giue lawes alone to the whole Church. But it not being poſſible to remooue them with theſe reaſons, from their reſolution, they ſaid, in the end, that they would refer it to the Fathers, to whom they reſtored the draught of the Safe Conduct, with the additions which were required.

Who are not content with the forme of the Safe Conduct.

For which cauſe *Toledo* the Emperors Ambaſſadour is offended.

The Legate and preſidents, vnderſtanding the requeſt and reſolution of the Proteſtants, ſhewed the Emperours Ambaſſadours how vniuſt and vnmeet their demands were. For in the forme of that of *Baſil* they neuer found that it was granted to haue a deciſiue voice in the Councell; but, that the Scripture, practiſe of the Church, Councels, and Doctours, who ground themſelues on it, ſhould bee Iudges, is ſaid, becauſe the practiſe of the Church is called by the name of Apoſtolicall tradition: and when it is ſaid, the holy Fathers, it is vnderſtood that they ground themſelues on the Sripture, becauſe they haue no other grounds. The third, to exerciſe their Religion in their owne houſes, is vnderſtood, with condition that it bee not knowen, and done without ſcandall. The prohibition, that nothing ſhall bee done in contempt of them, is expreſſed, when it is promiſed, that, by no meanes, they ſhall bee offended. Therefore that it did appeare that they complained without cauſe, onely to cauill, and in regard there is no hope to content them, their doeth remaine nothing but to giue them the Safe Conduct, as it is made, and to leaue them to their libertie, to make vſe of it or not. The Earle of *Montfort* replied, that nothing could bee more ſeruiceable to the publique cauſe, then to take from them all pretences and cauils, and to make them vnexcuſable to the world: therefore, in regard there was no reall difference betweene the ſafe conduct of *Baſil* and this, to ſtoppe their mouthes, that might be copied out *Verbatim*, changing onely the names of the perſons, places, and times. The Preſidents, mooued with that ſubtile and ſtrict anſwere, looked one vpon another, and the Legat, taking the matter

ter vpon him, answered, that it should be referred to the Fathers, in the Congreation, and resolued according to their determination. The Presidents did recommend the cause of GOD and the Church, euery one to his familiar friends. To the Italians and Spaniards they said, that it was a great iniury to be compelled to follow a company of schismatiques, who haue spoken vnaduisedly, and contrary to Christian doctrine, and bound themselues to follow the Scripture only. But vnto all in generall, they said, it would be a great indignitie, if the Councell should so speake, as that an inextricable dispute should presently arise. For in setting downe what Doctors doe ground themselues vpon the Scripture, they should neuer agree: that it was honourable for the Councell to speake plainely, and that the expression made was iust the declaration of the Counsel of *Basil*. And such perswasions they vsed, as that almost all were resolued not to change the draught, hoping that though the Protestants desired it should be better, yet they would bee content when they saw all was done. 1552 IVLIVS 3. CHARLES 5. EDVVARD 6. HENRY 2.

All being in order, the foure and twentith day the generall congregation was made; in which the Electors and all the Fathers met in the Legates house, as also the Ambassadours of the Emperour, and of *Ferdinand*, who were not wont to be present in such kinds of Congregation. The Legat began briefely, and said, they were assembled to beginne an action, the most doubtfull that euer happened to the holy Church: therefore they were to pray GOD for good successe, with more then vsuall deuotion; and, hauing inuocated the name of the holy Ghost, as the custome is in the Congregations, the *Protestation* was read by the Secretary; whereunto all the Fathers hauing giuen consent, the Speaker desired it should be registred in the actes, and a publique Instrument made of it. The tenor whereof was thus in substance. That the holy Synode, not to hinder the progresse of the Councell, by the disputes which would arise, when it should be duly examined, what sort of persons should appeare in the Synode, and what sort of *Mandats* and Writings be presented, and in what places men should set, doth declare, that, if any be admitted for himselfe, or as a deputie, which ought not to bee receiued by the disposition of the law, or vse of the Councels, or set not in his right place, or if *Mandats*, Instruments, Protestatiõs, or other Writings, which do, or may, offend the honor, authority, or power of the Councell bee presented, it shall bee vnderstood, that the present or future generall Councels shall not bee preiudiced, it being the Synods meaning to restore peace and concord vnto the Church, by any meanes, so that it bee lawfull and conuenient. The Protestation of the Councel concerning the admission of the Protestants.

Afterwards the *Saxon* Ambassadours were brought in; where being entred, and hauing made their obeysance to the assembly, *Badehornus* spake, vsing these titles, Most reuerend, and most worthy Fathers and Lords. The substance of his speech was this. That Maurice, Elector of *Saxony*, wishing them the assistance of the holy Spirit, and a happy issue of the action, did let them know, that he had long since resolued, that if euer a generall, free, and Christian Councell were celebrated, where the controuersies of Religion might be decided according to the holy Scripture, and all might speake securely, and a Reformation be made in the Head and the members, to send his *Badehornus* one of the *Saxon* Ambassadours maketh an oration in the generall congregation.

1552
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

his Deuines thither. That now, thinking they are aſſembled to this end, he hath called his Theologues together, commaunding them to chooſe ſome, to carry their *Confeſsion* to that Synod; which was not yet done, in regard of a certaine conſtitution of the Councell of *Conſtance*, that faith or ſafe conduct, giuen by the Emperour, Kings, or others, to heretiques, or perſons ſuſpected, ought not to bee obſerued; and of the example of the *Bohemians*, who would not goe to *Baſil*, without ſecurity from the Councell. Therefore that the *Elector* deſired that ſuch a ſafe conduct ſhould bee giuen to his Deuines, Counſellors, and their families; that not long ſince a certaine forme of ſafe conduct was preſented to him, much different from that of *Baſil*; ſo that the Diuines thought it dangerous to come hither with it, becauſe, by ſome Decrees made in *Trent*, and already printed, it did appeare, that they are accounted heretiques and ſchiſmatiques, though they neuer haue beene either called or heard. Therefore the Prince demaundeth, (he ſaid) that his men may be excuſed, and a ſafe conduct granted, in the forme of that of *Baſil*, and that, vnderſtanding that they would proceede to the concluſion of the controuerſed Articles, it ſeemed vnto him a thing preiudiciall, and contrary to all law of GOD and Man, in regard his men were lawfully hindred, for want of a ſafe conduct. Who therefore prayeth them that all may be deferred vntill his Diuines be heard, who be but ſixty Dutch miles diſtant. That afterwards it being related to him, that the Proteſtants may not be heard concerning the controuerſed Articles, defined the yeeres paſt, the greater part of which containe grieuous errours, the Prince deſireth that they may be reexamined, and his Diuines ſuffered to ſpeake, and that determined which ſhall be conformeable to the word of GOD, and beleeued by all Nations of the Chriſtian world. For the things determined haue beene handled by very few of thoſe who ought to aſſiſt in the generall Councell, as doth appeare by the printed Catalogue; it beeing eſſentiall to a generall Councell, that all Nations ſhould bee admitted, and freely heard. That the Prince alſo doth remember, that many controuerſed Articles do concerne the Pope; and the Councels of *Conſtance* and *Baſil* hauing determined, that the Pope, in points of faith, and which concerne himſelfe, is ſubiect to the Councell, it is fit the ſame ſhould be done in this place, as alſo, which was conſtituted in the third Seſſion of the Conncell of *Baſil*, that all perſons of the Councel ſhould bee abſolued from the oathes of obligation to the Pope, as farre as concerneth the cauſes of the Councell. Yea, that the Prince is of opinion, that, without any further declaration, by vertue of the conſtitutions of thoſe Councels, all are free from thoſe bonds. Therefore prayeth the aſſembly, that they ſhould firſt repeate, approoue, and ratifie the Article of the ſuperiority of the Councell aboue the Pope, eſpecially in regard the Cleargie hath need of reformation, which hath beene hindered by the Popes. For the abuſes cannot bee amended, if the perſons of the Councell depend on the Popes nod, and be bound, by vertue of oath, to preſerue his honour, ſtate, and power: and if it might bee obtained of the Pope to remit the oath willingly, it would be praiſe-worthy, and gaine great fauour, credit, and authority to the Councell, becauſe the Decrees would be made by free men, who might lawfully treat, and iudge according to the word of CHRIST. That

in

in concluſion the Prince deſireth that his propoſitions may bee taken in good part, being moued to tender them, for the zeale of his owne ſaluation, charitie towards his Countrey, and peace of all Chriſtendome. Hauing this diſcourſe in writing, he preſented it, and it was receiued by the Secretarie, and the Speaker ſaide in the common name, that the Synode would conſider of it, and make anſwere in due time. 1552 IVLIVS 3. CHARLES 5. EDVVARD 6. HENRY 2.

And ſo do the Ambaſſadors of the Duke of *Wittenberg*.

After theſe, thoſe of *Wittenberg* were heard, who preſented the *Mandat* of their Ambaſſage. Which being read, they briefly ſaid, that they were to tender the Confeſſion of their doctrine, and that Diuines would come to defend it, and handle the ſame things more at large, ſo that Iudges might be indifferently choſen by both ſides, to take knowledge of the controuerſies. For their doctrine being repugnant to that of the Pope and the Biſhops his adherents, it was vniuſt that either the Plaintife, or the defendant ſhould be Iudge: deſiring therefore, that what was done in the Councell the yeeres paſt, might not haue the ſtrength of a law, but that the diſcuſſion of euery thing alreadie handled ſhould begin againe, it being not iuſt, that when two cõtend in law, what is done by one, the other being lawfully abſent, ſhould bee of force: and the rather, becauſe it may bee cleerely demonſtrated, that as well in the laſt actions, as in thoſe of the yeeres before, Decrees haue beene publiſhed, contrarie to the word of GOD. And they preſented their doctrine, and diſcourſe in writing: all which was receiued by the Secretarie, but the Doctrine was not read. The Speaker anſwered, in the name of the Fathers, that anſwere ſhould be giuen in time conuenient.

The Fathers reſolue not to alter the ſafe Conduct.

When this was done, the Electours and Ambaſſadours departed, the Prelates remayning with the Preſidents, to giue order for the Seſſion. Firſt the Decree was eſtabliſhed, and then the Safe Conduct propoſed, adding the cauſes why the Proteſtants were not content. And conſulting, whether that which they deſired ſhould bee added to the forme, they did eaſily agree all in one opinion, that nothing ſhould bee added, to auoide inextricable diſputes, and ineuitable preiudices.

The Seſſion.

The next day, the 25. of Ianuarie, deputed for the Seſſion, they went to the Church, with the vſuall Ceremonies, but with more Souldiers, called by the Preſidents, to make oſtentation of the greatneſſe of the Councell, and with many ſtrangers, who came thither, thinking the Proteſtants ſhould bee receiued publikely, and with ſingular ceremonies. The B. of *Catanea* ſang Maſſe, and *Iohn Baptiſta Campeggio*, B. of *Maiorica*, preached, and, the vſuall rites being obſerued, the Decree was read by the Maſſe Biſhop; the ſubſtance whereof was. That the Synod, to performe the things already decreed, hauing exactly handled whatſoeuer belongeth to the Sacrifice of the Maſſe, and Sacrament of Order, to publiſh in the Seſſion the Decrees concerning them, and the 4. Articles of the Sacrament of the *Euchariſt* deferred, thinking that the Proteſtants, vnto whom they had giuen ſafe Conduct, would haue been arriued by this time, in regard they are not come, but haue made ſupplication that all ſhould be deferred vntil another Seſſion, giuing hope that they wil come long before the celebration therof, hauing receiued a ſafe Conduct in a more ample forme, the Synode deſirous of quiet & peace, beleeuing that they will come, not to contradict the Catholike faith, but to vnderſtãd the truth; & that they wil be ſatisfied

The Decree.

with

1552
Iulius 3.
Charles 5.
Edward 6.
Henry 2.

with the Decrees of the holy mother the Church, hath put off the next Session, vntill the nineteenth of March, to giue light to, and publish the things aforesaid, granting them (to remoue all cause of greater delay) a safe conduct, of the tenor as shall bee recited, determining to handle, in the meane while, the Sacrament of Matrimonie, and to prosecute the reformation, that they may publish the definitions of this, together with the definitions of the things aforesaid. The substance of the safe conduct was; That the Synod, adhering to the safe conduct already giuen, and amplifying it, doth make faith to all Priests, Princes, Nobles, and persons, of what cõdition soeuer, of the German nation, which shall, or already are come to the Councell, safe conduct to come, remaine, propose, and speake in the Synode, to handle and examine what they thinke fit, giue articles, and confirme them, answere the obiections of the Councell, and dispute with those whom it doth elect, declaring that the controuersies in this Councell shall bee handled according to the holy Scripture, traditions of the Apostles, approoued Councels, consent of the Catholike Church, and authoritie of the holy Fathers; adding, that they shall not be punished vpon pretence of religion, or offences committed, or which will bee committed, so that there need not bee any cessation from Diuine Seruice, by reason of their presence, either in the iourney, or in the Citie of *Trent*, or in any place else, and shall returne when it shall seeme good vnto them, without let, with safety of their robe, honour, and persons, but with the knowledge of the deputies of the Synode, that prouision may bee made for their securitie: granting that, in this safe conduct, all those clauses bee held to be included which are necessary for reall and full assurance: adding, that if any of them, either in comming, or in *Trent*, or in returning, shall commit any enormitie, which shall nullifie the benefit of this publike faith, he shall bee pnnished by their own Iudges, so that the Synod may be satisfied: and, on the other side, if any other in comming hither, remaining here, or returning shall commit any thing which may violate this safe conduct, hee shall bee punished by the Synod, with the approbation of the Germans themselues, who shall bee present in *Trent*, the forme of the assеueration remaining still in force, giuing leaue to their Ambassadours to goe out of *Trent*, to take the ayre, and returne, to send and receiue aduises, and messengers, as often as they shall thinke fit, yet accompanied with the Deputies, for their securitie: which safe conduct shall remaine in force, so long as they bee vnder the care of the Synod, in comming to *Trent*, in their abiding there, and twenty dayes after they shall aske leaue to depart, or after it shall bee granted to them, that they may bee rendred in a secure place, at their election: which things it promiseth faithfully, in the name of all faithfull Christians, of all the Princes, Ecclesiasticall and Secular, and likewise of all other persons Ecclesiasticall and Secular, of all conditions: faithfully promising withall, that the Synod shall not seeke occasion, publikely or secretly, that any thing bee attempted in preiudice of this safe conduct, nor, to violate the same, will vse, or suffer any to vse any authority, power, right, statute, or priuiledge of Lawes, Canons, or Councels, especially that of *Constance*, and of *Siena*: which things in this behalfe, and for this time, it doth disallow. And if the Synode, or any person in it, or any that belong to them shall violate the forme of this safe conduct in any

The safe conduct.

any point or clauſe whatſoener, and puniſhment bee not inflicted to their approbation, let them thinke that the Synode hath incurred all the puniſhments which the violaters of ſuch Safe Conducts may incurre by the law of GOD, or man, or cuſtome, without admitting excuſe, or contradiction. Theſe things being read, the Seſſion was ended. It is certaine that the Preſidents, doubtfull what might enſue, were willing to bee prepared, if the winde were proſperous, to decide the matter of the Sacraments, all in one Seſſion: and therefore hauing in a readineſſe all that belonged to the Communion, the Maſſe, and Sacrament of Order, they were deſirous to digeſt alſo and put in order all that concerned Matrimonie, that they might put all into one bundle, and to handle ſuccinctly, in another Seſſion, Purgatorie, Indulgences, Images, Reliques, and ſuch ſmall matters, (for ſo they called them) and then to end the Councel. And if any thing were oppoſed to this deſeigne, they might ſhew that the fault was not in them. 1552 IVLIVS 3. CHARLES 5. EDVVARD 6. HENRY 2.

Many, who read theſe occurrences, will maruell that the Pope, from whom all conſultations of farre leſſe moment were wont to proceed, is not named. Which they will ceaſe to doe, when they ſhall know, that hee was aduiſed from point to point, of all the accidents and deſeignes, and that, when thoſe of *Wittenberg* were arriued, and newes came that more were expected, hee anſwered his Legate, and *Nuncij*, that the Proteſtants ſhould bee entertained with as much courteſie as was poſſible, knowing it was neceſſary in ſuch caſes, to ſuffer ſome indignity; willing them to vſe diſcretion, becauſe patience winneth honour in the end. That they ſhould abſtaine from all publique Colloquie in matter of religion, either by writing, or by word of mouth. That they ſhould endeauour, by perſwaſions and hopes, to gaine ſome of the Proteſtant Doctours, and ſhould ſpare no coſt. The Pope was aduiſed of euery thing that was done, yet nothing hapned that might make him alter his purpoſe. But when hee vnderſtood that the Emperours Ambaſſadours had giuen the Proteſtants hope to moderate the Papall authority, and ſaide that they expected to ſee a gate laide open by their negotiation, that afterwards they might ſecond it, and bring in thoſe things which they had deſeigned, and that the Fathers did hold it neceſſary to reſtraine it, hauing other intelligence that all the Spaniards were of that mind, and that the Emperour did deſeigne to aduance himſelfe by debaſing the Papacie; and did cheriſh the Proteſtants, to ſhew that it did not proceed from him, his mind was aliened from him, and turned to the French King. He therefore hearkened to the treaty of the Cardinall *Tornon*, in the Kings name, which being executed, the diſſolution of the Councel would follow, without his paines, or without ſhewing that he did deſire it. Why the Pope is aliened from the Emperour.

The Seſſion beeing made, the Proteſtants, though they perceiued that the Safe Conduct was not enlarged, as they deſired, diſſembling the knowledge of it, did demand it, and an authenticall copie was conſigned by the Emperours Ambaſſadours, to the Ambaſſadours of each Prince. Who, hauing read it, did complaine that promiſes were not kept; and required the Synods anſwere to their expoſitions, and to their requeſts, made concerning the manner of proceeding in the Councel. The Imperialiſts perſwaded them to goe on with dexterity, ſaying, as before, that with time they ſhould

obtaine

1552
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRIE 2.

obtaine all, but ſeeking things diſtaſtfull, and before there was opportunity, euery thing would bee more hard. That it was not neceſſary to expreſſe in the ſafe Conduct, that they might exerciſe their religion in their houſes, in regard it was vnderſtood to be granted, becauſe it was not forbid. That nothing ſhould bee done to their diſgrace was plainely expreſſed, in that good and reall vſage was promiſed, and, beſides that, publique prohibitions wil be made to all, which will be of greater force. For the reaſons to be alledged in Councel, the ſame was ſaide in ſubſtance, that the Scripture ſhall bee the ground, but when there is controuerſie of the meaning of it, it will bee neceſſary that the Councel ſhould be iudge. For it is dumbe of it ſelfe, without ſoule, and, as ciuill Lawes, hath neede of a iudge, to giue it life; which, in matter of religion, is the Councel, as hath beene obſerued euer ſince the Apoſtles time. The Proteſtants receiued the ſafe Conduct, but with *Proteſtation*, that they did it onely to ſend it to their Princes.

The Proteſtants receiue the ſafe conduct with proteſtation.

The Preſidents, to examine the Sacrament of Matrimony, as was decreed, making a generall Congregation, and chooſing Deputies, gaue foorth 33. Articles, in that matter, to be diſcuſſed by the Diuines. They ordained alſo, that the Deputies ſhould make the Canons, as the particulars were examined. Some congregations were held, and ſixe Canons framed. Whereupon the Proteſtants complained to the Emperours Ambaſſadours, that the hope that with time they ſhould obtaine a reuiew of the things decided, was quite taken away, becauſe they proceeded to new deciſions, while their Diuines were expected. The Emperours Ambaſſadours could not obtaine of the Preſidents to ſtop their proceeding, which they haſtened with all diligence, that either the Proteſtants might not come to *Trent*, or, if they came, might finde all decided. For the reexamination, the Pope, the Court, and all the Prelates, were reſolued to deny it conſtantly. And they thought that they might with better ground deny the reuiſion of many things, then of a few. But the Emperour, whom it did much concerne to bring the Proteſtants to *Trent*, but nothing at all to haue the matters reexamined, aduiſed by his Ambaſſadours, of what the Proteſtants complayned, and how they were hindered to goe to the Councel, ſent a man to *Trent*, with commiſſion to goe to *Rome* alſo, to negotiate that all action might be deferred for ſome few dayes, ſhewing that that haſt did precipitate the buſineſſe, gaue ſuſpicion to the Proteſtants, and made them more vnwilling to goe to the Councel. He gaue order alſo that his men ſhould bee commanded not to proceed, and ſhould Proteſt againſt the *Papalins*, if perſwaſions would not ſerue. This reſolution of the Emperour, ſignified in *Trent*, cauſed a generall Congregation to bee called, where it was reſolued, to deſiſt from all Conciliarie act, during pleaſure of the Synode.

Whereof the Proteſtant Ambaſſadours do complaine.

The *Papalins* doe deſire to proceed the faſter.

But are ſtopped by the Emperour.

But the Pope was diſpleaſed with that which wae done, and diſdayning at the Emperour for other cauſes alſo, wrote to *Trent*, that ſuſpending the actions as few dayes as was poſſible, they ſhould, for reputation of the Councel, reſume them without reſpect. Another cauſe, which, beſides this, had prouoked the Pope & Cardinals, was, that *Ferdinand* deſiring to poſſeſſe *Tranſiluania*, which was aſſaulted by the Turkes on the other ſide, vpon pretence to keepe it for the young ſonne of *Iohn Vaiuode*, *George Martinaccio*

Wherewith the Pope is diſpleaſed.

As alſo with the attempt of *Ferdinand* againſt the Biſhop of *Veradino*.

Biſhop

1552
IVLIVS 3.
CHARLES 5.
EDWARD 6.
HENRY 2.

Biſhop of *Veradino*, a man of excellent wiſedome, and great reputation in that Countrey, was willing to keepe it in libertie; and, to auoide greater danger, not being able to conteſt with the Turkes and the houſe of *Auſtria* at once, made choice to ioyne himſelfe with theſe, by whom counterpoyſing the Turkes, he held all in an euen balance. Thoſe of *Auſtria* knowing that by gaining of this Prelat, they ſhould wholly obtaine their purpoſe, *Ferdinand*, beſides other things which he did to oblige him more vnto them, promiſed him a penſion of eightie thouſand crownes, and the Emperour obtained of the Pope, with great inſtance, to create him Cardinall, and (which was ſeldome vſed) to ſend the Cap, and to giue him leaue to weare the ſcarlet habit, which was not lawfull, becauſe he was a Munke of Saint *Baſil*: all which was done in the middeſt of October. But this vaine ſhew of honour being not eſteemed by the Biſhop, who was not willing to preferre the intereſts of the houſe of *Auſtria*, before his Countrey, hee was traiterouſly, and cruelly ſlaine, by *Ferdinands* miniſters, the eighteenth of December, vpon pretence that he held intelligence with the Turkes. This accident did exceedingly mooue the Cardinals, who thought themſelues moſt ſacred and inuiolable. They conſidered of what importance the example was, that a Cardinall ſhould bee ſlaine vpon fained calumnies, or for ſuſpition. And they incited the Pope, who was forward of himſelfe, ſhewing him that the Cardinall was poſſeſſor of a great treaſure, to the value of a million, which belonged to the *Chamber*, being the goods of a Cardinall, dead without a will. For all theſe reſpects the Pope deputed Cardinals to take knowledge of the crime, and *Ferdinand*, and all his Miniſters of *Tranſiluania* were thought to haue incurred the cenſures. Commiſſioners were ſent to *Vienna* to make inquiſition. And, not to returne to ſpeake of this againe, I will ſay heere, by way of anticipation, that the heat being abated, as the cuſtome is, becauſe that which was done could not bee vndone, not to raiſe any greater ſtirres, the proceeding was with much conniuencie; and though the Proceſſe was made as *Ferdinand* would, yet nothing was prooued againſt the dead man, and the purpoſe to draw the inheritance to the *Chamber* died, becauſe little was found, in compariſon of that which was thought, *Martinuccio*, a man bountifull, hauing ſpent all in the publike ſeruice, and that which was found being diuided amongſt the Souldiers. The Pope declared *Ferdinand*, and all thoſe who were not preſent at his death, to be abſolued, with this addition, if the things deduced in the Proceſſe were true. Whereof the Emperours miniſters complayning, as if the integritie of *Ferdinand* were queſtioned, the Pope made the ſentence abſolute, and thoſe onely who were Authors of the murder went to *Rome* to bee abſolued; but ſo, as if they had done a good worke. And in *Hongarie* and *Rome* it was held that it was done by command from him who had intereſt: according to the vſuall ſaying, that of euery ſecret counſell hee is Authour, who receiueth profit by it. Yet this did *Ferdinand* no good, who ſhortly after, for this and other cauſes, was chaſed out of *Tranſiluania*. But becauſe to ſpeake thereof, belongeth not to my purpoſe, I returne to the matter which I left.

Ferdinand and his Miniſters were thought to haue incurred the cenſures.

Ferdinand is abſolued, firſt conditionally, and then abſolutely.

The ſeuenth day of Februarie, the next Sunday before *Septuageſima*, the Goſpel of the Cokle being read, *Ambroſe Cigogna*, or *Storke*, (for ſo his

1552
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

Dutch name *Pelargo* is expounded) a *Dominican* Diuine of the Arch-biſhop of *Triers*, preached ; who, applying the name of Cokle to the heretiques, ſaid it was fit to tolerate them, when, without danger of greater miſchiefe, they could not bee rooted out. This was tolde to the Proteſtants, as if hee had ſaide, that it was lawfull not to obſerue the faith giuen : which rayſed a great tumult. Hee defended himſelfe that hee ſpake of heretiques in generall, and ſayde no more then what the Goſpel it ſelfe doeth propoſe : but if hee had ſaid that it was fit to extirpate them with fire, bonds, and halters, or any other way, hee ſhould haue done that which the Councell in the ſecond Seſſion did command : that hee had ſpoken modeſtly, nor could a Sermon be made vpon that Goſpel without ſaying as much. The Cardinall of *Trent*, and the Emperours Ambaſſadors did pacifie the commotion, but with difficultie, though it was manifeſt that the Friar ſpake not of keeping faith, nor of the Proteſtants particularly, but of heretikes in generall. The Electour made this his pretence to depart, which hee was reſolued to doe before, by reaſon of ſome ſecret intelligence, which he held with the French King, as alſo to recouer his health ; and ſo he departed in the midſt of February, leauing an opinion, that it was with the good liking of the Emperour, and with promiſe to returne quickly. Yet he paſſed not by *Iſpruc*, nor ſpake with the Emperour.

The Elector of *Triers* departeth from *Trent*.

The firſt day of Lent the *Stations* were, by affixion, publiſhed in *Trent*, in the ſame manner as in *Rome*, by the Popes graunt, to him that viſited the Churches ; which gaue entertainement to the Fathers and Diuines, who, in regard of the intermiſſion of the Congregations, wanted buſineſſe. And before, being almoſt idle, they entertained themſelues in priuate meetings, diſcourſing variouſly, ſometimes of diſſoluing, ſometimes of continuing the Councel, according to the newes which was brought. In the beginning of March, letters came from the Electour of *Saxonie*, to his Ambaſſadors, giuing them commiſſion to proſecute their inſtances in the Councell, and aduiſing that hee was readie to goe to the Emperour in perſon ; which put all men out of feare. But not long after, a generall rumor was ſpread, that the French King was confederated with the Proteſtant Princes, to make warre againſt the Emperour. The Electours of *Mentz*, and *Collen* departed the eleuenth of March, and paſſing by *Iſpruc*, had very ſecret conference with *Ceſar* : and the Ambaſſadours of *Maurice*, fearing ſome danger, went ſecretly out of *Trent*, and returned home by diuers wayes. Notwithſtanding all this, foure Diuines of *Wittenberg*, and two of *Argentina* came to *Trent* afterwards, who, with the Ambaſſadours of that Duke, did immediately deſire the Emperours Ambaſſadours, that the Synode might anſwere the propoſition alreadie made, and begin the conference. The Legate anſwered, that the nineteenth of March, a day appointed for the Seſſion, approaching, it was neceſſarie to giue order for it, and to handle many other things, of which one ſhould bee, to finde a forme how to treate.

The Electors of *Collen* and *Mentz* depart from *Trent*.

The Diuines of *Wittenberg* and *Argentina* come to the Synode.

Therefore that day a Congregation was made in the Legats houſe, and a reſolution taken to prolong the Seſſion vntill the firſt of May. In this Congregation the Ambaſſadour of *Portugal* was receiued, who preſented his *Mandat*,

The Ambaſſador of *Portugal* is receiued in congregation.

Mandat, and made a ſpeach, and was anſwered in the vſuall forme, with praiſe and thankes to the King, and words of Complement to the Ambaſſadour. But thoſe of *Wittenberg*, ſeeing no anſwere was made to their propoſitions, and that the Legate concealed the *Confeſſion*, preſented by them, which many deſired to haue, and could not, hauing brought many printed copies, diſtributed them vnto diuers; which raiſed much noyſe, and ſome ſaid they deſerued puniſhment. For he, vnto whom a Safe conduct is granted, is bound to giue none offence vnto him that granteth it. And this was eſteemed a publique offence. Yet in the end all was quieted.

1552
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

The Ambaſſadors of *Wittenberg* ſpread copies of their *Confeſſion*.

The Proteſtants, together with the Emperours Ambaſſadours, deſired often, that the action ſhould begin; which notwithſtanding was deferred, ſometimes vnder pretence, that the Legate was not well in health, ſometimes vnder diuers others. The Emperours Ambaſſadours vſed all meanes to make them begin, and perſwaded the Proteſtants not to deſire an anſwere to the demaunds preſented by them, and afterwards not to deſire that the doctrine exhibited by them ſhould bee examined. But as one difficulty was remooued by the Proteſtants, ſo another was ſtill raiſed by the Preſidents, ſometimes about the manner of treating, ſometimes about the matter with which to begin. But in the ende the Proteſtants, perſwaded by *Pighuins*, were content to begin where the others would. Yet, for all this, nothing was done. For the Legate, though very ſicke of great paſſions of minde, was thought to faine, that hee might finde a pretence not to begin. The *Nuncij* were irreſolute, and the Biſhops did not agree among ſt themſelues. For the adherents of *Cæſar*, Spaniards and others, moued by the Emperours Ambaſſadours, deſired to proceed: but the Papalins, ſuſpecting that the end of the Imperialiſts was to come to the reformation of the Court of *Rome*, embraced all occaſions of delay. And becauſe the Dutch Biſhops were alreadie departed, by reaſon of the rumours of warre, they expected the like occaſion alſo, eſpecially becauſe the aduiſes of the armies of the French King, and confederates of *Germany* againſt the Emperour, did continue, Proteſts, and Manifeſts being publiſhed, which alleadged, for a cauſe, the defence of Religion, and libertie of *Germanie*. The firſt of April, the *Elector* of *Saxonie* beſieged *Auſburg*, which did render it ſelfe the third day, and the firſt newes thereof came to *Trent*, and that all *Tirol* did arme, and meant to goe to *Iſpruc*, there being an opinion, that the armie of the Confederats did purpoſe to poſſeſſe themſelues of the paſſages of the *Alpes*, to hinder ſtrangers from comming into *Germany*. Therefore many of the Italian Biſhops embarqued, and went downe the Riuer *Adice*, to goe to *Verona*, and the Proteſtants determined to depart.

The Fathers of the Councel, and the Proteſtats depart frõ *Trent*, by reaſon of the rumors of warre.

There remaining but few Prelates, and the Legate often doting, by reaſon of his great infirmitie, nor being able conſtantly to reſolue, the *Nuncij* fearing they ſhould be alone in *Trent* if they expected the firſt of May, according to the order, wrote to *Rome*, deſiring to know what they ſhould doe in theſe great ſtraits. The Pope, who already had concluded with *France*, nor eſteemed any more what the Emperour could doe, hauing ouercome the difficulties by which hee was compaſſed, aſſembled the Cardinals, and propoſed to them the aduiſe of the *Nuncij*, the maior part of whom did concurre,

The Legate doteth, & the *Nuncij* ſend to *Rome* to knowe what to doe.

1552
Iulius 3.
Charles 5.
Edward 6.
Henry 2.

without difficultie, that the Councell ſhould bee ſuſpended. The Bull was made, and ſent to *Trent*, and letters addreſſed to the *Nuncij*, giuing them authority for the ſuſpenſion. Therefore, when they ſaw vrgent neceſſitie, they were commanded to yeeld vnto it, not putting the dignity of the Councell in danger, which ſhould be reſtored, at another, more peaceable time; nor diſſoluing it abſolutely, that they might keepe it in their power, and vſe it vpon occaſions, but ſuſpending it, for ſome yeeres. The *Nuncij* concealed this anſwere, and conſulted with the Emperours Ambaſſadors and the principall Prelates, who deſired the order ſhould bee expected from *Cæſar*, and extenuated the feare as much as they could. Notwithſtanding the Prelates, though the maior part were Spaniards, fearing their owne perſons, and hating the Proteſtants, and not hoping, that in ſo great ſtraits, the Emperour could haue time to thinke of the Councell, gaue conſent to a ſuſpenſion. Therefore the *Nuncij* did intimate the publike Seſſion for the 28. of April; ſo great was their feare that they could not expect two dayes, the time appointed for it.

From whence they receiue order to ſuſpend the coūcell.

Thoſe few that remained did aſſemble; and, after the Eccleſiaſticall ceremonies were ended, (for the pompes were omitted for that time) the *Nuncio* of *Siponto* cauſed the Decree to be read, by the Secretary. The ſubſtance whereof was. That the Synode (the two *Nuncij* preſiding in their owne name, and in the name of Cardinall *Creſcentius*, the Legate, grieuouſly ſicke) is aſſured that all Chriſtians doe knowe, that the Councell of *Trent* was firſt aſſembled by *Paulus*, and after reſtored by *Iulius*, at the requeſt of *Charles* the Emperour, to reſtore Religion, eſpecially in *Germany*, and to correct manners, and that many Fathers of diuers Countreys did meete without ſparing any paines, or fearing any dangers, and that the proceeding was proſperous, with hope that the innouators of *Germanie* would come to the Councell, and yeeld to the reaſons of the Church: but that, by the ſubtiltie of the enemie, tumults are ſuddenly rayſed, which haue interrupted the courſe, taken away all hope of proceeding, and giuen cauſe of feare that the Synode would rather irritate the mindes of many, then pacifie them. Therefore perceiuing that euery place, *Germanie* eſpecially, is on fire with diſcords, and that the Dutch Biſhops, eſpecially the Electors, were departed, to make prouiſion for their Churches, it hath determined not to contend with neceſſitie, but to be ſilent vntill better times. And therefore they doe ſuſpend the Progreſſe for two yeeres, with condition, that if all bee quiet before that time be ended, the Councell ſhall bee vnderſtood to bee reſtored; but if the impediments ſhall not ceaſe at the ende of two yeeres, it ſhall bee vnderſtood that the ſuſpenſion is taken away ſo ſoone as the impediments are remoued, without a new Conuocation of the Councell, his Holineſſe, and the holy Apoſtolique Sea hauing giuen conſent and authority to this Decree. And, in the meane time, the Synod doth exhort all Chriſtian Princes and Prelates, as farre as concerneth euery one, to cauſe all the Decrees of the Councell, made vntill then, to bee obſerued in their Dominions, and Churches. This Decree being read, was approued by the Italians. The Spaniards, who were twelue, ſaid, that the dangers were not ſo great as they were made. That fiue yeeres ſince *Chiuſa* was taken by the Proteſtants, when no commander, but *Caſtel-*

Which is executed in Seſſion the 2. of April.

The Bull of ſuſpenſion, for two yeeres.

Is oppoſed by the Spaniſh Prelates,

alto, was in *Tirol* to defend it, and yet the Councel did not dissolue. Now the Emperour was in *Isprue*, by whose vertue those stirres would quickly ceale, that the timorous should haue leaue to depart, as then they had, and those remaine that would, vntill the Emperour were aduised; who, beeing but three daies iourney distant, might returne a speedy answere. But the others, opposing popularly, the Spaniards protested against so absolute a suspension; notwithstanding, the *Nuncio* of *Siponto*, giuing his benediction to the Fathers, gaue them leaue to beginne their iourney. The *Nuncij* and Italian Prelates beeing departed, in the end, the Spaniard departed also, and so did the Emperours Ambassadors, and the Cardinall *Crescentius* was carried to *Verona*, where he died.

1552
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

Who protest against the suspention.

The Legate dieth in *Verona*.

For the last part of the Decree, the *Nuncij* were much blamed in *Rome*, that the Synode had determined the obseruation of the Constitutions, without asking first the confirmation of the Apostolique Sea, alledging that this, hauing beene exquisitely obserued by all former Councels, was a great vsurpation and offence against the Papall authority. Some also made a scruple that all that assisted in that Session, had incurred the censure of the Canon, *Omnes, dist.* 22. hauing done a preiudice to a priuiledge of the Popes authority, pretending that the Decrees of the Councel, were of force before the confirmation. They said for themselues, that they had not commanded, but perswaded the obseruation. But the answere did not satisfie, because to obserue as a law, doth presuppose an obligation, and in the Decree, the exhortation is referred only to Princes and Prelates, who are exhorted to cause the Decrees to bee obserued. And for the obseruers, a former obligation is presupposed, and for matter of faith, they said the answere could haue no place. They might haue excused themselues, and said, that euery thing was approoued by the Pope, before it was published in the Sessions. Neither would this haue satisfied, because, though it was true, yet it did not appeare. This gaue occasion to wonder, that there should bee such a contention, betweene the Synode and the Protestants, concerning the things decreed, which the Protestants would haue reexamined, and the Synode would haue to bee held as concluded. For if they were not perfectly established, they might be reexamined. And they discoursed, that the Pope, who was to confirme them, was to doe it, either with taking knowledge of the cause, or without; if without, the confirmation was a vanity, and according to the prouerbe, that one should take a potion, and another bee purged; if with it, then the Pope ought to examine them, and so might euery one, and referre himselfe to his Holinesse. In summe, if the force of the Decrees of the Councel dependeth on the Popes confirmation, before that, they are in suspence, and may bee questioned, and discussed better, which was alwaies denied to the Protestants. Some did conclude, that the Decree was a declaration that the confirmation was not needfull. The Protestants thought not of these reasons, which the stronger they are in the Doctrine of the Sea of *Rome*, so much the more the vse of them would endammage their pretensions. But because there was more speech of the validity of this Decree in the yeere 1564. when the Councel ended, that which remayneth shall bee deferred vntill then.

The *Nuncij* are blamed for the last part of the Decree.

And their defence is not esteemed good.

1552
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

Though the Proteſtants had the better in managing the warre, yet *Maurice* treated friendly with *Ferdinand*, yea went to him into his owne Territories, deſiring nothing of him, but the freedome of the *Landgraue*, his father in law, the liberty of *Germanie*, and peace of religion. The Proteſtants Armes did ſtill proceed; and the Emperour, though hee were not ready to make reſiſtance, yet thinking he had *Germany* vnder his yoke, he would not leaue any part of the domination which hee had aſſumed: and *Ferdinand*, after hee had treated with *Maurice*, went to *Iſpruc*, to perſwade him. But the enemies Armie approaching that City, the Emperour was forced to fly by night, with all his Court, and after hee had wandered in the Mountaines of *Trent*, he came to *Villaco*, a City of *Carinthia*, at the confines of the Venetians; where hee was much afraid, becauſe the Senate, to ſecure the frontiers, ſent Souldiers to that place, though the Venetian Ambaſſadour did aſſure him that they were at his ſeruice, if there were occaſion to imploy them. Before he departed from *Iſpruc*, he ſet *Iohn Fredericke*, Duke of *Saxony*, at liberty, to take the glory of his deliuery from *Maurice*: which pleaſed that Prince very much, whom it concerned more to bee fauoured by an enemie his Superiour, then by an enemie his equall, and emulous.

The Emperor flyeth from *Iſpruc*.

And ſetteth *Frederic* Duke of *Saxony* at libertie.

A few houres after the departure from *Iſpruc*, *Maurice* arriued there the ſame night; where not touching any thing that belonged to *Ferdinand*, or the Citizens, he made himſelfe Lord of the Emperours bagage, and of the bagage of his Court. The Proteſtants, ſeeing their aduantage by this flight, publiſhed another *Manifeſt*, ſignifying in ſubſtance, that hauing taken armes for Religion, and the libertie of *Germany*, as the enemies of the truth had no other ayme, but that the holy Doctors being firſt oppreſſed, the Popiſh errors might be reſtored, and the youth brought vp in them, hauing impriſoned ſome, and made others ſweare to depart, and not returne againe, which oath doth not bind, becauſe it is wicked, they did recall them all, and commaund them to reſume their office of teaching, according to the *Auguſtan Confeſſion*, and, to remooue all calumnies, did abſolue them from the oath taken. The treatie of peace ſtill continuing, it was at laſt concluded in *Paſſau*, in the beginning of Auguſt, concerning all differences; and, for religion, it was thus ordered: that, within ſixe moneths, a Diet ſhould bee called, to conſult how the diſcords in Religion might moſt eaſily, and commodiouſly be compoſed, either by a generall or Nationall Councell, or by a Colloquie, or vniuerſall Diet of the Empire. That in that Diet, an equall number of godly, humble and wiſe men of either Religion ſhould be taken, charging them to conſider of and propoſe the moſt conuenient meanes: and, that in the meane ſpace, neither the Emperour, nor any other may force any in matter of Religion, againſt his conſcience, or will, neither *De facto*, nor by forme of reaſon, nor doe any thing in contempt, or to grieue any for that cauſe, but to let euery man liue in quiet, and in peace: and likewiſe that the Princes of the *Auguſtan* confeſſion may not moleſt the Eccleſiaſtiques or ſeculars of the old Religion, but let them enioy their goods, Lordſhips, Superiorities, iuriſdictions, and ceremonies; that in the *Chamber* iuſtice be adminiſtred to euery one, without regard of what Religion he is, not excluding the Confeſſioniſts from the places they are to haue amongſt the aſſeſſors, and that

Maurice taketh *Iſpruc*.

The Proteſtants ſet forth a *Manifeſt*.

A peace is concluded.

that it be free for the assessors, and for the litigants to sweare by God and the Saints, or by God and the Gospell. And though there be no meanes of composition in religion, yet this peace shall remaine in force for euer. And so the *Interim* was abrogated, which had beene really executed but in few places. The *Landgraue* of *Hassia* was deliuered by vertue of this agreement, so that all difficulties with the Emperour did cease; yet the warre continued a whole yeare, in many parts, betweene diuers Princes and Cities of the Empire. But the Cities recalled their Preachers, and Doctors of the *Augustan* confession, and restored the Churches, Schooles, and exercise of religion; and though, in regard of the banishments and persecutions against the Doctours and Preachers, there remained but few of them, and those concealed vnder the protection of the Princes, yet, as if they had risen againe, there wanted not to furnish all places. The warre hindred the assembling of the Diet dissigned, and deferred it from one yeare to another, vntill February 1555. whereof wee will speake in the fit place.

1552

IVLIVS 3. CHARLES 5.

EDVVARD 6. HENRY 2.

The *Interim* is abrogated. The *Landgraue* is set at libertie, and the Protestant Preachers are recalled. The Diet is deferred.

THE

THE

1552
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRY 2.

THE FIFT BOOKE OF THE HISTORY OF THE COVNCELL OF TRENT.

THE Pope, now freed from many cares, by the dissolution of the Councell, thought fit to preuent all occasions of relapse, and proposed in Consistorie the necessitie to reforme the Church. He said he had reduced the Councell to *Trent* for this end, which hauing not succeeded according to his desire, in regard of diuers accidents of warre, first in *Italie*, then in *Germanie*, it was meete to doe that in *Rome*, which in *Trent* could not bee done. Hee appointed therefore a great congregation of Cardinals and Prelates, to consider of the businesse. Hee sayde hee elected many, that the resolutions might be more mature, and haue greater reputation, though his ende was thought to bee, that, by reason of the multitude, more impediments might arise, and so all might come to nothing. And the euent was iudge. For the reformation was handled in the beginning with great heate, afterwards it went on, for the space of many moneths, very coldely, and, at the last, was buried in silence. And the suspension of the Councell, in stead of two yeeres, did continue tenne; verifying the *maxime* of the Philosophers, that the causes ceasing, the effects doe cease also. The causes of the Councell were first the great instances of *Germanie*, and the hope, conceiued by the world, that it would cure all the diseases of Christendome. But the effects that were seene vnder *Paul* the third did extinguish the hope, and shew to *Germanie* that it was impossible to haue such a Councell as they desired. Of the second reduction of the Synode there was another cause; which was the great desire of *Charles* the Emperour to put *Germanie* vnder his yoke, by meanes of religion, and to make the Empire hereditarie, by causing his sonne to succeede him, and so to erect a Monarchie, greater then any since the *Roman*, euen then that of *Charles*

The Pope maketh a great shew that hee will reforme the Church.

The suspensiō of the Councel, made for 2. yeeres, lasteth ten.

The causes of the 2. conuocations of the Councell.

1553
Iulius 3.
Charles 5
Edward 6.
Henry 2.

Charles the great. For this, the victories hee had obtained was not sufficient, neither did hee thinke hee could supplie what was wanting by new forces onely: but subiecting the people vnto him by religion, and the Princes by treaties, hee had conceiued a vast hope to immortallize his name. This was the cause why hee was so earnest with *Iulius* for the second Conuocation of the Councell, and of his effectuall perswasions (not to call them violent) to the three *Electors* to goe thither, and to the Protestants, with whom hee had power, to send their Diuines. But while the Councell was celebrated, *Charles*, hauing put all Christian Princes in iealousie, found the first encounters in his owne house. For *Ferdinand*, though hee seemed formerly to haue consented to make the Empire common to them both (as it was to *Marcus* and *Lucius*, with equall authority, an example followed by *Diocletian*, and many others afterwards) and then to labour that *Philip* should bee chosen King of the *Romanes* to succeede them, (wherein *Charles* had employed his sister the Queene of *Hungary* to perswade him to it, for the aduancement of their house) yet, better aduised by his sonne *Maximilian*, hee began to change his opinion. To effect this busines, already set on foote, *Philip* was called by his father, that hee might bee knowen to the *Electors*, in the Diet of *Ausburg* in the yere 1551. which made *Ferdinand* retire himselfe, & the foresaid Queene to goe thither, to make peace betweene the brothers. But *Maximilian*, fearing that his father, out of his good nature, would yeeld, leauing the gouernement of the Kingdomes of *Spaine*, which the Emperour had giuen him, in the handes of his wife, the Emperours daughter, returned suddenly into *Germanie*, by whose perswasions *Ferdinand* remained constant in his purpose, and *Charles* had nothing from the Electors but good wordes. By this opposition the Emperours edge was abated, who sent his sonne backe into *Spaine*, without hope euer to obtaine the consent of *Maximilian*. And afterwards being compelled, by the foresaid warre, to make an agreement, despairing of his sonnes succession, he layd aside all thought of restoring the ancient religion in *Germanie*, and, by consequence, all care of the Councell; though he continued many yeeres after in the Empire. And the Court did care for it as little, because none did desire it. But diuers accidents then hapned, which though they seemed to make the suspension perpetuall, yet, in the secret prouidence of God, did minister causes for the third Conuocation, which the continuation of the story requireth should not bee passed ouer in silence, in regard the knowledge of the causes doth helpe much to penetrate the effects, which hapned after that the Councell was resumed.

Charles vseth meanes to make the Empire hereditarie.

But cannot effect it.

Which causeth him to lay aside all care of religion and of the Councell.

1553

The Pope, seeing that the people of his obedience did not so much esteeme him, by reason of the alienation of *Germanie*, did imitate *Eugenius* the fourth, who maintained the reputation which the Councell of *Basil* tooke from him, by a shew of Grecians, and a shadow of Armenians; and the late example of his Predecessor *Paulus* 3. who, when the contentions were hote, betweene him and the Emperour, for the translation of the Councell to *Bolonia*, for which the people also did distast him, receiued, with many ceremonies, on *Steuen*, by the name of Patriarke of *Armenia* the greater, with one Archbishop, and 2. Bishops, who came to acknowledge him for the Vicar of Christ, and generall commander of the Church, and to render him obedience.

How the Pope maintained his reputation

dience. According to theſe examples, *Iulius* did receiue with much publike ſolemnity one *Simon Sultakam*, elect Patriarke of all the people which are betweene *Euphrates* and *India*, ſent from thoſe Churches, to be confirmed by the Pope, ſucceſſour of *Peter*, and *Vicar* of CHRIST. Hee ordayned him Biſhop, and gaue him the Patriarchall Robe with his owne hands, in the Conſiſtory; and ſent him backe to his home, that the Churches might not ſuffer in his abſence, accompanied with ſome religious men, who vnderſtood the Siriaque tongue. All the diſcourſe was, not onely in *Rome*, but throughout all *Italy*, of the immenſe number of the Chriſtians in thoſe parts, and how much the liſts of the Apoſtolique Sea were enlarged. And particularly they ſpake of the great number of Churches in the City *Muzal*, which they ſaid was the old *Aſſur*, vpon the riuer *Tigris*, from which *Ninive*, renowned for the preaching of *Ionas*, was not farre diſtant, ſituated beyond the riuer. Vnder this iuriſdiction they put *Babylon*, *Tauris*, and *Arbela*, famous for the battaile betweene *Darius* and *Alexander*, with many Countries of *Aſſiria* and *Perſia*. They found alſo the ancient Cities, named in the Scripture, and *Ecbatan*, which the ſtories doe call *Seleucia* and *Niſibi*. They ſaid that this man, elected by all the Biſhops, was ſent to the Pope for confirmation, accompanied with ſeuenty perſons, as farre as *Ieruſalem*, and from thence by three, of whom one died, and another remained ſicke in the iourney, and the third, called *Caleſi*, came with him to *Rome*. All theſe things were printed, and very curiouſly read. The Pope receiued another alſo, named *Marderius*, a *Iacobite* of *Aſſiria*, ſent by the Patriarke of *Antioche*, to acknowledge the Apoſtolique Sea, and giue it obedience, and make profeſſion of the Romane Faith. But the world beeing ſatiated with the former, did not care for this ſecond.

1553
IVLIVS 3.
CHARLES 5.
EDVVARD 6.
HENRIE 2.

After theſe ſhadowes of obedience, which the Sea of *Rome* gained, there ſucceeded one reall, and of great importance, which did abundantly recompence whatſoeuer was loſt in *Germany*. The ſixt of Iuly 1553. *Edward* King of *England* died, of the age of ſixteene yeeres. Fifteene daies before, he made a *Will*, with approbation of his Councel, wherein hauing declared that it did belong to him to name the Succeſſor, according to the lawes of the Kingdome, he excluded his ſiſters, *Marie* and *Elizabeth*, becauſe their legitimation was doubted of, and all the poſterity of *Margarite*, his fathers elder ſiſter, as ſtrangers, not borne in the kingdome, and named her Queene who followed in order, that is, *Iane* of *Suffolke*, grand-child to *Mary*, formerly Q. of *France*, and yonger ſiſter to his father *Henry* 8. by her daughter, notwithſtanding that the ſaid *Henry* had, in his laſt Will, ſubſtituted *Mary* and *Elizabeth*, which ſubſtitution hee ſaide was pupillarie, and did not binde him now hee was of age. *Iane* was proclaimed Queene in *London*, and *Mary*, retiring her ſelfe into *Norfolke*, that ſhee might commodiouſly paſſe into *France*, if there were occaſion, named her ſelfe Queene alſo, and was finally accepted by all the Kingdome, alledging in her fauour the Teſtament of *Henry*, and that of a Matrimony contracted *bona fide*, though there bee a *nullity* in it, the iſſue is legitimate. *Iane* and her adherents were impriſoned, and *Mary* entred into *London*, and was receiued with a generall applauſe, and proclaimed Queene of *England* and *France*, and had the title of Head of the Church. Shee preſently

The King of *England* dieth.

Iane is proclaimed Queene.

But *Mary* obtayneth the Crowne.

1553
Iulius 3.
Charles 5.
Q. Mary.
Henry 2.

sently set the prisoners at liberty, which her father had put into the Tower, partly for religion, and partly for other causes. A little after her entrie there arose a sedition in *London*, by occasion of one who tooke the boldnesse to preach Popery, and of another who did celebrate the Masse. To appease this trouble, which was very considerable, the Queene caused an edict to be published, that shee would liue in the religion of her Ancestors, and therefore would not permit that any thing should bee preached to the people but that which formerly had beene. Afterwards, the eleuenth of October shee was crowned with the vsuall ceremonies. The Pope aduertized heereof, considering that shee was brought vp in the Catholique Religion, interrested in the respects of her mother, and cosen by bloud vnto the Emperour, hoped he might make some entrie into the Kingdome, and therefore did make Cardinall *Poole* his Legate, thinking, beeause he was of the bloud royall, and of an exemplary life, he was the onely instrument to reduce that Kingdome to the Church of *Rome*. The Cardinall, who had beene banished by publique decree, and d priued of his honour, thought it not fit to beginne the enterprise, before he fully vnderstood the state of things, beeing assured that the maior part was still deuoted to the memory of *Henry*. Hee therefore sent into *England* secretly, *Giouanni Francesco Comendone* to informe him, and wrote a letter to the Queene: in which, commending her perseuerance in religion in the times of her troubles, hee exhorted her to continue in the times of her happinesse, recommended vnto her the saluation of the soules of those people, and the restitution of the true worship of God. *Comendone* hauing obserued euery particular, and found meanes to speake with the Queene, though compassed and garded on euery side, perceiued she had neuer beene auerse from the Romane faith, and had promise from her that shee would labour to restore it into the whole Kingdome, which the Cardinall vnderstanding, put himselfe into the voyage.

A sedition in *London* about religion.

The Pope maketh Cardinall *Poole* his Legate for *England*.

In England, after the coronation, a Parliament was held, in which the diuorce of the Queenes mother *Katherine* of *Aragon* was declared to bee vnlawfull, the marriage good, and the issue legitimate; which was obliquely to restore the Popes supremacie, in regard it could not be good, without the validitie of the dispensation of *Iulius* the second, and by consequence, not without the supremacie of the Sea of *Rome*. It was ordained also, that all the constitutions in matter of religion made by *Edward* should be abrogated, and that religion obserued which was in vse at the death of *Henry*. In this Parliament they treated of marrying the Queene, though shee were aboue forty yeares of age: and three were named. *Poole*, who had not taken holy *Orders*, though he was a Cardinall, and *Courtney*, both of the blood Royall, and first Cousins of *Henry* the eight in an equall degree, this of the white Rose, grand-child of *Edward* the fourth, by his Daughter, and that of the red rose, Nephew to *Henry* the seuenth by his sister; both acceptable to the Nobilitie of England; *Poole* for wisedome, and sanctity of life, and *Courtney* for his louing behauiour, and carriage. But the Queene preferred *Philip* Prince of *Spaine* before these, aswell for the treaties made by her cosen *Charles* the Emperour, (her affection also inclining much more to the mothers side then to the fathers) as beeause shee thought shee might better secure her owne and

A Parliament is held, & the diuorce of *Henry* the 8. declared to be vnlawfull.

Poperie is established.

And the marriage of the Queene is treated on.

the

the Kingdomes peace with that marriage. The Emperour, who did much desire to effect it, fearing that *Poole* might disturbe it, by his presence in England, knowing hee was departed Legate, made meanes by Cardinall *Dandinus*, the Popes Minister with himselfe, that he should not part out of Italie so soone, saying, that as yet an Apostolique Legate could not goe into England with honour. But the Letter of *Dandinus* not taking effect, and *Poole* being in his iourney as farre as the Palatinate, hee sent *Diego Mendoza* to stop him by authoritie. It seemed strange to the Cardinall, and he complayned that the Popes Legation was hindred with the damage of Christianitie, and of the Kingdome of England, and ioy of Germanie. Therefore the Emperour, not to giue so much matter of talke, made him goe to Bruxels, and entertayned him in Brabant, vntill the marriage was ended, and all things accommodated as he would; and for colour, imployed him to treate a peace betweene himselfe and the French King.

1554
IVLIVS 3.
CHARLES 5.
MARY.
HENRY 2.

Vntil the conclusion whereof the Emperour hindreth *Poole* in going into England.

In the beginning of the yeare 1554. the Emperour sent Embassadors into England to make the conclusion: and the Queene proceeding to fauour the old Religion, did the fourth of March publish other Lawes, restoring the Latin tongue into the Churches, forbidding maried men to exercise holy Functions, & giuing order to the Bishops not to make them sweare, who were to bee receaued into the Clergie, as *Henrie* had appointed, that the King was supreme Head of the Church of England, and that the Pope had no superioritie there, but was Bishop onely of the Citie of Rome. Shee ordayned also, that the forme of Prayer, instituted by *Henrie*, where, amongst other things, God is prayed to deliuer that Kingdom from sedition, conspiracie, and tyrannie of the Pope, should be razed out of all the books of Rites, and forbid to be printed. In April another Parlament was held, in which consent was giuen to the contract of marriage: where the Queene proposed the restitution of the Popes supremacie; which shee could not obtayne, becaus the Nobilitie did resist, who considered not that they did vainely denie this demand, which was vertually contayned in their assent to the marriage. *Philip*, Prince of Spaine, arriued in England the eighteenth of Iuly, and on Saint *Iames* day, the Nuptials were celebrated, and he receaued the title of the King of Naples, and did consummate the matrimonie. In Nouember there was a new Parlament, in which Cardinall *Poole* was restored to his Honor and Countrie, and two were sent to inuite and accompanie him; with whom hee passed into the Island, and arriued at London the three and twentieth of Nouember, with a siluer Crosse carried before him. At his first entrie into the Parlament, hee made a discourse in English before the King, Queene, and Orders of the Kingdome. Hee thanked them very much that hee was restored to his Countrie, saying, that in exchange, hee was come to restore them to the Countrey and Court of Heauen, of which they were depriued, by departing from the Church. Hee exhorted them to acknowledge the errour, and receiue the benefit which God, by his *Vicar*, had sent them. The discourse was very long and artificiall; and the conclusion was, that hee had the Keyes to bring them into the Church,

1554.

The celebration of the marriage.

Cardinall *Poole* commeth to London, with the crosse carried before him.

And maketh an Oration in the Parlament.

1554
Iulius 3.
Charles 5.
Mary.
Henry 2.

which they had ſhut, by making Lawes againſt the Apoſtolique Sea: which when they did reuoke, hee would open the dores vnto them. The Cardinals perſon was well accepted, and an apparant aſſent was giuen to his Propoſition, though the Maior part did ſecretly abhorre the qualitie of a Popes Miniſter, and were grieued to come vnder the yoke againe. But they had ſuffered themſelues to bee carried ſo farre that they knew not how to returne.

The manner of the re-vnion with the Church of Rome.

The next day the re-vnion with the Church of Rome was decreed in Parliament; and the manner was thus ſet downe. That a Supplication ſhould be made in the Parliaments name, wherein it ſhould bee declared that they were very ſorry for hauing denied obedience to the Apoſtolique Sea, and for hauing conſented to the Decrees made againſt it, promiſing to endeuour hereafter that all thoſe Lawes and Decrees ſhould bee aboliſhed, and beſeeching the King and Queene to intercede for them, that they may be abſolued from the crimes and cenſures, and receiued, as penitent children, into the boſome of the Church, to ſerue God, in obedience of the Pope and Sea of Rome. The laſt of Nouember, Saint *Andrewes* day, their Maieſties, the Cardinal, and whole Parliament being aſſembled, the Chancelor asked the generalite whether they were pleaſed that pardon ſhould be demanded of the Legat, and whether they would return to the vnitie of the Church, and obedience of the Pope, ſupreme Head therof; and ſome ſaying, yea, and the others holding their peace, a Supplication was preſented to their Maieſties in the name of the Parliament; which being publiquely read, they roſe to deſire the Legate, who met them, and ſhewed himſelfe willing to giue them ſatisfaction; and cauſing the authoritie giuen him by the Pope to be read, hee diſcourſed how acceptable to God the repentance of a ſinner was, and how the Angels did then reioyce for the conuerſion of that Kingdom: and al being on their knees, imploring the mercy of God, he abſolued them; which being done, hee went to the Church with all the multitude, to giue thanks to God. The

Ambaſſadours are appointed to goe to the Pope.

next day an Ambaſſage was deſtinated to the Pope, to render him obedience; for which were named *Anthony Browne*, Vicount Mountacute, *Thomas Thurlby*, Biſhop of Ely, and *Edward Cerne*, who had formerly beene Ambaſſadour in Rome for *Henrie* the eight, and was now to bee reſident there againe in that charge. Aduice hereof came to Rome quickly; for which many Proceſſions were made, not only in that Citie, but thorowout all Italie, to giue thanks to God. The Pope approued what his Legate had done, and ſent a Iubely the foure and twentieth of December, alleadging in the *Bull* for a cauſe, that, like the Father of the family, hauing recouered his prodigall Sonne, it was meet that he ſhould not onely ſhew domeſticall ioy, but generally inuite all to the ſame Iubelie; and he praiſed and extolled the actions of the King, Queene, and people of England. The Parliament continued vntill the midſt of Ianuarie 1555. and all the ancient Edicts of the Kings to puniſh heretickes, and of the Iuriſdiction of Biſhops were renewed, the Primacie, and all preheminences of the Pope reſtored, all contrarie Decrees made within twentie yeeres laſt paſt, as well by *Henrie*, as by *Edward*, aboliſhed, the penall

For which Proceſſions are made in Rome.

Lawes

Lawes againſt heretickes reuiued, and many were burned, eſpecially Biſhops, who would perſeuere in the reformation aboliſhed. It is certaine that one hundred ſeuentie and ſixe perſons of qualitie were burned that yeere, for Religion, beſides many of the common ſort, which gaue but litle content to that people, who alſo were diſpleaſed that *Martin Bucer*, & *Paulus Fagius*, dead foure yeares before, were cited and condemned, as if they had beene liuing, and their bodies digged vp, and burned; an action, commended by ſome as a reuenge of what *Henrie* the eight had done againſt S. *Thomas*, by others compared to that which the Popes, *Stephanus* the ſixth, and *Sergius* the third, did againſt the Corps of Pope *Formoſus*.

1554
IVLIVS. 3.
CHARLES 5.
MARY.
HENRY 2.
Many are burned in England for Religion.

Many alſo were at the ſame time burned in France for Religion: not without the indignation of honeſt men, who knew that the diligence vſed againſt thoſe poore people, was not for pietie, or Religion, but to ſatiate the couetouſneſſe of *Diana Valentina*, the Kings Miſtris, to whom he had giuen all the confiſcations of goods made in the Kingdome for cauſe of Hereſie. It was wondred alſo that thoſe of the new reformation, ſhould meddle with bloud, for cauſe of Religion. For *Michael Seruetus* of *Tarragona*, made a Diuine of a Phyſician, renewing the old opinion of *Paulus Samoſatenus*, and *Marcellus Anciranus*, that the word of God was not a thing ſubſiſting, and therefore that Chriſt was a pure man, was put to death for it in *Geneua*, by Counſell of the Miniſters of *Zuric*, *Berne*, and *Schiaffuſa*: and *Iohn Caluin*, who was blamed for it by many, wrote a Booke, defending that the Magiſtrate may puniſh Heretickes with loſſe of life: which Doctrine being drawne to diuers ſences, as it is vnderſtood more ſtrictly or more largely, or as the name of Hereticke is taken diuerſly, may ſometime doe hurt to him, whom another time it hath helped.

And in France alſo.

Which was done to ſatiate the couetouſneſſe of *Diana Valentina*.

Michael Seruetus is burned in Geneua.

At that time *Ferdinand*, King of the Romans, publiſhed an Edict to all the people ſubiect vnto him, that in points of Religion, and Rites, they ſhould not innouate, but follow the ancient cuſtomes; and particularly that, in the holy Communion, they ſhould bee content to receiue the Sacrament of bread onely. Wherein though many perſons of note, the Nobilitie, and many of the Cities made Supplication vnto him, that, at the leaſt, the *Cup* might be granted them, ſaying that the inſtitution was of Chriſt, which might not bee altered by men, and that it was the vſe of the old Church, as was confeſſed by the Councell of *Conſtance*, promiſing all ſubmiſſion and obedience in all other things, praying him not to burthen their conſciences, but to accommodate his cõmandement to the orders ſet downe by the Apoſtles, and of the Primitiue Church, yet *Ferdinand* perſeuered in his reſolution, and anſwered them, that his commandement was not new, but an ancient inſtitution, vſed by his Anceſtors, Emperours, Kings, and Dukes of Auſtria: and that the vſe of the *Cup* was a nouitie, brought in by curioſitie, or pride, againſt the Law of the Church, and conſent of the Prince. Yet hee moderated the rigour of the anſwere, ſaying, that the queſtion being of a point that concerneth ſaluation, he would thinke of it more diligently, and anſwere them in fit time; but that, in the meane while, he exſpected from them obedience, and obſeruation of the Edict. He publiſhed alſo a Catechiſme the fourteenth of

The King of the Romanes publiſheth an Edict againſt all innouation in Religion.

And a Catechiſme.

1555
PAVL 4.
CHARLES 5.
MARY
HENRY 2.

Auguſt, made, by his authoritie, by ſome learned and pious Diuines, commanding all the Magiſtrates of thoſe Countries, not to ſuffer any Schoolemaſters to read any but that, either in publique or in priuate, becauſe, by diuers Pamphelets which went about, Religion was much corrupted in thoſe Countries. This conſtitution diſtaſted the Court of Rome, becauſe it was not ſent to the Pope, to be approued by his authoritie, nor came forth in the name of the Biſhop of the Countrie, the ſecular Prince aſſuming the office, to cauſe to be compoſed, and to Authorize Bookes in matter of Religion, eſpecially by name of Chatechiſme, to ſhew that it belonged to the ſecular power, to determine what Religion the people ſhould follow, and what refuſe.

Which gaue diſtaſt to the Court of Rome.

The two yeares of the ſuſpention of the Councell being expired, they treated in the Conſiſtorie what was fit to be done. For although the condition in the decree was, that the Councell ſhould be of force againe when the impediments were remoued, which did ſtill continue, by reaſon of the warres of Siena, Piemont, and others, betweene the Emperour and the French King, yet it ſeemed that any man of an vnquiet Spirit might ſay that thoſe impediments were not ſufficient, and that it was vnderſtood that the Councell was on foote againe; ſo that, to free themſelues from thoſe dangers, it might be good to make a new declaration. But wiſer men gaue Councell not to moue the euill while it was quiet, while the world was ſilent, while neither Princenor People demanded the Councell, leaſt, by ſhewing they were afraid, they might excite others to require it. This aduice preuailed, and made the Pope reſolue neuer to ſpeake more of it.

It is reſolued in Rome not to ſpeake of the Councell though the two yeares of ſuſpention were ended.

1555

In the yeare 1555, there was a Diet in Ausburg, which the Emperour had intimated, principally to compoſe the controuerſies of religion, in regard this was the fountaine of all the troubles, and calamities of Germanie, with the loſſe not onely of the liues of many thouſands of men, but of their ſoules alſo. *Ferdinand* began the Diet, in the Emperours name, the fifth of Februarie; where he ſhewed, at large, the lamentable ſpectacle of Germanie, in which men of the ſame Baptiſme, Language, and Empire, were diſtracted by ſo various a profeſſion of Faith, there ariſing new Sects euery day: which did ſhew not onely ſmall reuerence towards God, and great perturbations of mens minds, but was cauſe alſo that the multitude knew not what to beleeue, and that many of the principall Nobilitie and others were without all faith, and honeſtie, making no conſcience of their actions, which tooke away all commerce: ſo that now it could not be ſaid that the Germans were better then the Turkes, and other barbarous people; for which cauſes God had afflicted it with ſo great calamities. Therefore it was neceſſarie to take in hand the buſineſſe of religion. He ſaid a generall, free, and pious Councell was formerly thought the onely remedie. For the cauſe of Faith being common to all Chriſtians, it ought to be handled by all: and the Emperour, imploying all his forces herein, did cauſe it to be aſſembled, more then once. But there was no need to ſay why no fruit came by it, it being well knowne to all that were preſent. Now if they deſired to proue the ſame remedie

A Diet is held in Ausburg to compoſe the differences in Religion.

In which *Ferdinand* maketh an Oration.

remedie againe, it was neceſſarie to remoue the impediments, which did hinder them from attaining the wiſhed end. But if, by reaſon of the accidents that occurre, they thought fit to deferre this vntill another time, they might treat of vſing other means. They knew not how to make vſe of a National Councel, becauſe the maner, forme, and name of them were diſuſed. The Colloquies, whereof they had often made proofe, did no good, becauſe both parties aymed more at priuate gaine, then publique pietie and vtilitie. Yet he ſaid they were not to be deſpiſed now, if they would lay aſide the obſtinacie of their priuate affections; and counſelled them to try them once more, if the Diet did not propoſe a better way.

1555
MARCELLVS 2.
CHARLES 5.
MARY.
HENRY. 2.

And propoſe.h a Colloquie.

This propoſition was made by *Ferdinand*, with others, concerning the peace and warre with the Turkes, that it might paſſe through Germanie, and ſerue to inuite men to the Diet, to which very few were come. But it was ill expounded, in regard of his former Edict, publiſhed in his States, much contrarie to this propoſition, and more, in regard of the execution of it, hauing chaſed more then two hundred Preachers out of Bohemia. And it went to Rome alſo; where the Pope, curſing, as he vſually did, the Colloquies, & inuentors of them, complayned that there was no end of theſe difficulties, and that he was to haue a Councell, a Colloquie, or a Diet alwaies on his backe. He blamed thoſe times for being ſo full of troubles, prayſing former ages when the Popes might liue quietly, not being in feare of their authoritie. Yet he was comforted by the perfect ſubiection of England to his obedience, by the decrees made in his fauour, by the Letters of thankes which he receiued, and with the promiſe that a ſolemne Ambaſſage would come ere long, to thanke him perſonally for his fatherly clemencie and benignitie, and to promiſe him obedience. Wherewith being well pleaſed, he could not chooſe but ieſt, and ſaid, that he did enioy ſome part of happineſſe, in that he was thanked by thoſe vnto whom he owed thankes.

Which diſpleaſeth the Pope.

Who is conſolated with the obedience of England.

But though the Pope had little hope of Germanie, yet, not to neglect it, nor any ouerture that might be made, in propoſing meanes to reduce to the Church thoſe that wandred, he ſent Cardinall *Morone*, for his Legat, to the Imperiall Diet, with inſtructions euer to lay before them the example of England, and, by that, to exhort Germanie to know their diſeaſe, and receiue the ſame cure; and, aboue all, to diuert all *Colloquies* and treaties of religion. The Cardinall was no ſooner arriued in Auſburg, but Pope *Iulius* died, whereof hee receiued aduiſe eight daies after. He therefore departed the laſt of March, together with the Cardinall of Ausburg, to aſſiſt at the election of the new Pope.

He ſendeth Cardinall *Morone* to the Diet.

And dieth preſently after.

Before they came, *Marcellus Ceruinus*, Cardinall *di Santa Croce*, was elected Pope in Rome, the ninth of Aprill; a man graue, and ſeuere by nature, and of a conſtant mind; which he was willing to demonſtrate in the firſt action of his Papacie, by retaining the ſame name, ſhewing the world that his dignitie had not changed him; contrarie to that which ſo many of his predeceſſors had done. For after the changing of the names began, becauſe Dutch men were made Popes, to whoſe names Roman

Marcellus Ceruinus is created Pope, and retaineth his name.

1555
MARCELLVS 2.
CHARLES 5.
MARY.
HENRY. 2.

eares were not accuſtomed, all that followed obſcrued the ſame vſe, ſignifying thereby that they had changed their priuate affections into publique and diuine cares. But this Pope, to ſhew that in his priuate eſtate he had thoughts worthie of the Popedome, would, by retaining the ſame name, ſhew his immutabilitie. Another action of his alſo was like to this. For the capitulations made in the Conclaue being preſented to him, that he might ſweare to them, he anſwered it was the ſame thing which he had ſworne a few daies before, and that he would obſerue it by deedes and not by promiſes. The holy weeke which then was celebrated, and Eaſter holy daies approching, put the Pope, by the aſſiduitie of Eccleſiaſticall ceremonies into an indiſpoſition. Yet his thoughts were ſtill fixed on the things he had diſſiegned with many Cardinals, before his Popedome, to which he did euer thinke he ſhould aſcend; and particularly he imparted his purpoſe to the Cardinall of Mantua, to compoſe the differences of Religion by a Councell, which he ſaid did not formerly ſucceed well, becauſe a good courſe was not taken. That it was neceſſarie firſt to make an intire reformation, by which the reall differences would be accorded; which being done, the verball would partly ceaſe of themſelues, and partly would be compoſed with ſome ſmall paines of the Councell. That his Predeceſſors for fiue ſucceſſions, abhorred the name of reformation, not for any bad end, but becauſe they were perſwaded that it was ſet on foote, to pull downe the Papall authoritie. But his opinion was contrarie, and that nothing could more preſerue it then that; yea, that it would be a meanes to enlarge it. For obſeruing things paſt, euerie one might ſee, that onely thoſe Popes who haue made reformations, haue aduanced and inlarged their authoritie. That the reformation did not alter any thing but that which was for ſhew and vanitie, not onely of no moment, but of charge and burthen; as riots, pomps, great traines of Prelates, exceſſiue, ſuperfluous, and vnprofitable charges, which doe not make the Papacie venerable, but rather contemned; which vanities being cut off, the true power, reputation, and credit with the world will increaſe, together with the reuenue and other ſinewes of gouernement, and abeue all, the protection of God, which euerie one may aſſure himſelfe doth worke in conformitie of ones proper dutie.

He purpoſeth to make a reformation.

And is cenſured by the Court.

Theſe diſſignes, publiſhed in Court, were, by his wel-willers, adorned with the titles of Pietie, loue of Peace, and Religion; but ſome, that were emulous, ſaid the end was not good; that the Pope did ground himſelfe vpon Aſtrologicall predictions (following his fathers ſteps, who became great by that profeſſion) which, as ſome times, either by chance or otherwiſe, they ſucceed, ſo, for the moſt part, they are occaſions of the fall of many. Amongſt the Popes particular diſſignes, one vvas, to inſtitute a Religion of an hundred perſons, like vnto a Caualarie: of which himſelfe would be Head, and make the election, taking them out of any other Religion, or ſtate of perſons; euerie one of vvhich ſhould haue yearely fiue hundred crovvnes out of the *Chamber*, ſhould take a very ſolemne and ſtrict Oath of fidelitie to the Pope, ſhould not be aſſumed to any other degree, nor haue any more reuenue, except, for their deſerts,

He purpoſed to inſtitute a religion of an hundred perſons.

they

1555
MARCELLVS 2.
CHARLES 5.
MARY.
HENRY. 2.

they were created Cardinals; in which case they were not to forsake the companie. These onely he would imploy for *Nuncij*, and ministers of businesses, gouernours of Cities, Legates, and in all other occasions of the Apostolique Sea. And many learned men, inhabitants of Rome, whom himselfe did know, were named, and others put themselues forward to receiue this honour. The Court was full of the expectation of many nouities; which were all buried in silence, because *Marcellus*, first weakned by the paines he tooke in the long great ceremonies, as hath bin said, afterwards taken with an apoplexie, died the last day of the moneth, the other astrologicall predictions of his father and his owne, which were extended a yeare after that time, being not verified.

But dieth before any thing was effected, hauing sat but 22. daies.

The Cardinals being assembled againe in the *Conclaue*, he of Ausburg, assisted by *Morene*, made great instance, that, amongst the capitulations which the Cardinals were to sweare vnto, one should be, that the future Pope should, by counsell of the Colledge, call another Synod, within two yeares, to finish the reformation begun, to determine the controuersies of Religion that remained, and to find a meanes to cause the Councell of Trent to be receiued in Germanie. And the Colledge of Cardinalls being full, it was capitulated that the Pope should not create more then foure within two yeares. The three and twentieth day of the next Moneth, *John Peter Caraffa*, who called himselfe *Paulus Quartus*, was created, the Imperalists resisting as much as they could. For he was thought not to be the Emperours friend, in regard of the old distastes which he receiued in the King of Spaine his Court, where he serued eight yeares, in the life time of the Catholique King *Ferdinand*, and because the possession of the Archbishoprique of Naples was denied him a few yeares before, by the common inclination of the Barons of that Kingdome. Whereunto was added the seueritie of his manners, which made the Court sad, and put it in greater feare of reformation, then it formerly had in the treaties of the Councel. The strictnesse of his life, concerning his person and familie, he laid aside, immediately after his creation. For being demanded by his Steward, what diet he would haue prouided for him, he answered, such as befitteth a Prince: and would be crowned with greater pompe then was vsuall, affecting, in all his actions, to keepe his degree with magnificence, and to appeare stately and sumptuous. To his Nephewes and kinsmen he was as indulgent as any of his predecessors. He affected to hide his seueritie towards others, by shewing the greatest humanitie, but within a short time he returned to his owne naturall disposition.

Two capitulations; one to call another Councel within two yeares, another not to make aboue 4. Cardinals within two yeares.

Iohn Peter Caraffa, called *Paul* the 4. is created Pope.

Of whose seueritie the Court is afraid

He tooke it for a great glorie that the three English Ambassadours, dispatched in the time of *Iulius*, entred Rome the first day of his Papacie: and the first consistorie after the coronation was publique. The Ambassadours were brought into it; who prostrating themselues at the Popes feete, did, in the name of the Kingdome, acknowledge the faults committed, relating them all in particular (for so the Pope would haue it) confessing they had beene vngratefull for so many benefits receiued from the Church, and humbly crauing pardon for it. The Pope did par-

The English Ambassadors are receiued in the first consistorie after the coronation.

don

1555
MARCELLVS 2.
CHARLES 5.
MARY.
HENRY. 2.

don them, tooke them vp from the ground, and embraced them: and, to honour their Maieſties who ſent them, gaue the title of a Kingdome to Ireland, granting them this dignitie by the authoritie which the Pope hath from God, being placed ouer all Kingdomes, to ſupplant thoſe that are contumacious, and to build new. Men of iudgement, who then knew not the true cauſe of that action, thought it a vanitie, not ſeeing what profit, either of authoritie or honour, it might bring to a King, to haue many titles in the Countrey which he poſſeſſeth, conſidering that the moſt Chriſtian King is more honoured by the onely title of King of France, then if his State were diuided into as many Kingly titles as hee hath Prouinces. Neither did it then ſeeme a fit time to ſay, hee had power from God to build vp, and ouerthrow Kingdomes. But thoſe that knew the true cauſe, did not thinke it vaine, but a ſecret, vſually practiſed a long time. *Henrie* the Eight, after his ſeperation from the Pope, made Ireland a Kingdome, and called himſelfe, King of England, France, and Ireland; which title, continued by *Edward*, was aſſumed by *Marie*, and her Husband. The Pope, ſo ſoone as he was created, entred into a reſolution that the title of Ireland ſhould not be vſed by thoſe Princes, affirming conſtantly, that it belonged onely to him, to giue the name of a King. But it ſeemed hard to induce England to quit that which two Kings had vſed, and the Queene, not thinking much of it, had continued. Therefore he found a temper; that is, to diſſemble the knowledge of what *Henrie* had done, and himſelfe to erect the Iſland into a Kingdome, that ſo the world might beleeue that the Queen had vſed the title as giuen by the Pope, not as decreed by her Father. And the Popes haue often giuen that which they could not take from the poſſeſſors; and, to auoid contentions, ſome haue receiued their owne goods as gifts, and ſome haue diſſembled the knowledge of the gift, or of the pretence of the giuer. In the priuate diſcourſes betweene the Pope and the Ambaſſadours, he found fault that the Church goods were not wholly reſtored, ſaying, that, by no meanes, it was to be tollerated, and that it was neceſſarie to render all, euen to a farthing; becauſe the things that belong to God can neuer be applied to humane vſes, and he that withholdeth the leaſt part of them, is in continuall ſtate of damnation. That if he had power to grant them, he would doe it moſt readily, for his Fatherly affection which he beareth to them, and for the experience he hath of their filiall obedience; but his authoritie was not ſo large, as that he might prophane the things dedicated to God; and let England be aſſured that this would be an *Anathema*, and a contagion, which, by the iuſt reuenge of God, would alwaies hold the Kingdome of England in perpetuall infelicitie. He charged the Ambaſſadors to write thereof immediately, and was not content to ſpeake of it once, but repeated it as often as there was occaſion. He ſaid alſo plainly, that the *Peter-pence* ought to be paid, as ſoone as might be, and that, according to the cuſtome, hee would ſend a Collector for that purpoſe; that himſelfe had exerciſed that charge three yeares, hauing beene ſent into England for that end; wherein he was much edified, by ſeeing the forwardneſſe of the

The Pope giueth to Ireland the title of a Kingdome

Which was taken before without the conſent of any Pope.

Popes haue often giuen that which they could not take from the profeſſors.

The Pope commandeth the reſtitution of Church goods in England.

And the payment of *Peter-pence*.

the people to contribute, especially of those of the meaner sort; and told them often that they could not hope that S. *Peter* would open heauen vnto them, so long as they vsurped his goods vpon earth. This relation made vnto the Queene, with many other treaties, continued successiuely from Rome, caused her to imploy all her spirits herein; but nothing could be done, because many of the Nobilitie, and of the *Grandies* had incorporated many of these reuenewes into their houses. For her selfe, shee restored the tenths, and all other Ecclesiasticall goods annexed to the crowne, by her brother, and her father. The Ambassadours parted from Rome, with much praise, and fauour from the Pope, for their submission; a meanes by which his good will is easily gained.

1555.
IVLIVS. 3.
CHARLES 5.
MARY
HENRY 2.

The Queene maketh restitution, which her people refuse to doe.

Immediately after the creation of the new Pope, the Imperialists and French men did vie who should gaine him. But the Cardinall of Loraine, who well knew his humour, confirmed his affection towards the French, telling him in Consistorie, and in many priuate Treaties besides, that the King did know that the Church of France had need of reformation, and was readie to assist his Holinesse, either by sending Prelates to the Councell, if hee thought fit, or by any other meanes that should seeme good vnto him.

In the meane space the Diet of Germany was prosecuted, not without contentions; which would haue beene greater if Cardinall *Morone* had remayned there, as well for the negotiations he would haue made, as for the suspicions conceiued by the Protestants, that hee was sent only to oppose their commodities. And it was alreadie published euerywhere that Rome was full of hope, that Germanie would quickly come vnder the yoke, as England had done. After the Cardinals departure, the first difficultie was, whether the points of Religion should bee discussed first of all; which though the Ecclesiastiques did contradict in the beginning, yet it was finally resolued, by common consent, to begin there. Wherein there were two contrarie Propositions; One, to treat of the meanes to reforme it; the other to leaue euery one to his libertie: about which point there was very great controuersie. But, in the end, all inclined to the second Proposition, not knowing how to roote out the euill which did still moue, onely hoping that, when the humours were quiet, and the differences and suspicions remoued, many easie and commodious wayes might be found out. For this, it was necessary to establish a peace, that for cause of Religion there might bee no more warre, and that it might be lawfull for all the Princes and States of the Empire to follow, and cause to bee obserued in their Dominions what Religion pleased them best. Which resolution, when it came to be established, raysed greater controuersies. For those of the *Augustan Confession* did pretend, that it was lawfull for all to accept their Doctrine, retayning the Honours, States, and Degrees which they possessed. On the contrary, the Catholiques would not haue it permitted to the Ecclesiastiques to change their Religion, and keepe their degree, but that if a Bishop or Abbot did embrace the other Religion, he should lose his dignitie. Neither would they haue it permitted to the Cities, which seuen yeares since had receiued the decree of the

Contentions doe arise in the Diet of Ausburg.

Interim

1555
PAVL. 4.
CHARLES 5.
MARY.
HENRY. 2.

Interim made in Ausburg, to returne to the *Auguſtan Confeſſion*.

Writings paſſed on both ſides concerning this, and, at the laſt, the rigour of either partie was abated. The Catholiques were content that the Cities ſhould doe as they pleaſed, and the Proteſtants gaue ouer their pretence concerning the Eccleſiaſtiques. And the fiue and twentieth of September the *Receſſe* was made, that a Generall or Nationall Councell (neither of which could be aſſembled, in regard of many difficulties) being neceſſary to determine lawfully the cauſes of Religion, vntill a way might be opened vnto a friendly agreement thorowout all Germany, the Emperour, *Ferdinand*, the Catholique Princes and States, ſhould not force the Princes, Orders and States of the *Auguſtan Confeſſion* to forſake their Religion and Ceremonies alreadie inſtituted, or to be inſtituted in their Dominions, nor ſhould doe any thing in contempt thereof, nor hinder them in the free vſe of that Religion: and thoſe of the *Auguſtan Confeſſion* ought to behaue themſelues in the ſame ſort towards *Cæſar*, *Ferdinand*, and the other Princes and States of the old Religion, as well Eccleſiaſticall as Secular, euery one hauing power to eſtabliſh in his owne State what Religion hee will, and to forbid the other. And if any Eccleſiaſtique ſhall abandon the old Religion, it ſhall be no infamie vnto him but he ſhall preſently loſe his Benefices, which ſhall be conferred vpon others by the Patron; and the Benefices, which the Proteſtants haue already annexed to Schooles and Miniſteries of the Church, ſhall remayne in the ſame ſtate. That Eccleſiaſticall iuriſdiction ſhall be exerciſed no more againſt thoſe of the *Auguſtan Confeſſion*; but, otherwiſe, ſhall bee exerciſed according to the ancient cuſtome. The *Receſſe* being made, another difficultie aroſe; for the remouing of which, *Ferdinand*, vſing the abſolute Imperiall authoritie of his Brother, did declare with conſent of the Eccleſiaſticall Order, that the Titulars, Cities, and Communities, ſubiect to Eccleſiaſticall Princes, who haue adhered many yeeres to the *Auguſtan Confeſſion*, and receiued long ſince the Rites and Ceremonies thereof, and doe obſerue them ſtill, may not bee compelled by their Princes to change them, but may continue in them vntill a generall concord in Religion, which ſhall be concluded.

But at the laſt a peace of Religion is eſtabliſhed.

Of which the Pope complaineth to the Emperours Ambaſſadour, and Cardinall of Ausburg.

Pope *Paul* vnderſtanding of this *Receſſe* of *Ausburg*, was exceeding angry; He complayned thereof to the Emperours Ambaſſadour, and to the Cardinall of Ausburg, reprehending *Ferdinand* for ſuffering a treaty in matters of Religion, without the knowledge of the Apoſtolique Sea, and threatning that in due time he would make the Emperour and that King know to their griefe, how they had offended him: hee exhorted them to preuent it, by reuoking and diſallowing the things granted, that he might haue no occaſion to proceed, as he meant to doe, not onely againſt the *Lutherans*, but euen againſt them alſo, as abettors: offering to aſſiſt them, in caſe they would doe it by authoritie and armes, and to command all Chriſtian Princes, vpon paynes and cenſures, to aide them with all their forces. He was not ſatisfied with the Ambaſſadours anſwere, who alleadged the ſtrength of the Proteſtants, the warre againſt *Cæſar*, in which he was like to be priſoner in Iſpruc, and the Oathes taken. For the Oathes,

1555
PAVL 4.
CHARLES 5.
MARY.
HENRY 2.

Oathes, he answered that he freed and absolued them, yea commanded not to obserue them. To the rest he said, that in Gods cause, one must not proceed according to humane respects. That the Emperour was in danger by Gods permission, because he did not what he could and ought to doe, to reduce Germany to the obedience of the Apostolique Sea: that this is but a token of Gods anger, and that he must expect greater punishment if he take not warning by it: but carrying himselfe as a Souldier of Christ vndauntedly, and without worldly respects, he shal obtaine all manner of victorie, as the examples of the times past doe demonstrate.

The fame was that the Pope was moued to say so, not only by his owne inclination, but by the perswasion of the Cardinall of Ausburg, who was displeased with the libertie granted to the *Confessionists*. It is certayne that *Paul*, being of an high spirit and vast thoughts, did assure himselfe that he could redresse all the disorders, by his Papall authoritie only, nor had need of any Prince herein. Therefore he neuer spake whit Ambassadours but he thundered in their eares, that he was aboue all Princes, that he would not that any of them should be too domesticall with him, that he could change Kingdomes, that he was successor of him who hath deposed Kings and Emperours, and did often repeate, for a beginning of authoritie exercised by him, that he had made Ireland a Kingdome, and went on so farre, that, in Consistorie, and at his Table publiquely, in the presence of many, he said, he would not haue any Prince for his Companion, but all subiects vnder this foote (so he said, striking it against the ground) as it is fit, and as it is his will who hath built the Church, and hath placed them in this degree. And sometimes he would say, that, rather then we would doe any thing basely, we would die, ouerthrow all, and set the whole world on fire.

Paul had vast thoughts, and was exceeding proud.

Paul the fourth was naturally of a loftie mind and courage, and trusted much in his knowledge and good fortune, which did accompany him in all his actions; whereunto the power and fortune of the Papacie being added, he thought euery thing was easie. But two humours did flote in him by turnes; one, which, by custome to make vse of Religion in all his attempts, did induce him to imploy his spirituall Authoritie: the other was put into him by *Charles Caraffa*, his Nephew, who being valiant, and exercised in warre, made Cardinall of a Souldier, did retayne his martiall spirits, and perswaded him to vse his temporall power, saying, that the one without the other is dispised, but, being ioyned, are instruments of great matters. The circumspect old man, knew well that the Spirituall is made weaker, when it is manifested that there is need of the Temporall. But being euer intent to make his name great, sometimes he gaue eare to his Nephew, and sometimes he beleeued himselfe more. In the end he concluded to vse the Temporall secretly, and the Spirituall openly, that, proceeding with this, he might adde or omit the other, as he should be aduised by the euents. Therefore he treated most secretly, by his Nephew, with the Cardinall of Loraine, a league with the French King, which being almost made, Loraine parted from Rome, to take away suspition, and

He treateth a League with the French King.

the

1555 PAVL 4. CHARLES 5. MARY. HENRY 2.

the Cardinall *Tornon* went thither, with whom it was concluded, with the ſame ſecrecy. The principall capitulation whereof was, the gayning of the Kingdome of Naples for a yonger ſonne of the King, with great enlargement of the bounds of the Eccleſiaſticall ſtate; whoſe confines were to be *S. Gerucano, Garigliano*, and, on the further ſide of the *Apennine*, the Riuer *Peſcara* beyond *Beneuentum*: and ſome things beſides were yeelded vnto, for the Popes benefit.

The Pope alſo, that he might haue a prop to leane on in both courſes, thought it neceſſary to make a promertion of Cardinals, dependants on himſelfe, men of courage, who would not be afraid to proſecute his diſſiegnes, and imploy themſelues in any hard enterpriſe. Hee began to ſpeake of this promotion but a few dayes before he made it; which grieued the Cardinals for that he would contradict the Capitulation which he had ſworne: and the Imperialiſts, aboue all, conſidering the qualitie of the perſons to be promoted, purpoſed to oppoſe. The twentieth of December, the Pope, being entred into the Conſiſtorie, ſaid, ſo ſoone as he ſate downe, that he would not giue audience to any that day, becauſe he had greater matters to propoſe. Euery one vnderſtanding by this that his meaning was to create new Cardinals, the Cardinall of Saint *Iames* went to his ſeate, to ſpeake with him; and the Pope refuſing, and the Cardinall not deſiſting, he ſet his hand on his breſt, and thruſt him from him. All being ſet, the Pope began to complayne of thoſe who reported he could make but foure Cardinals, in regard of that which he had ſworne in the *Conclaue*, and ſaid, that this was to bind the Popes authoritie, which is abſolute; that it is an article of Faith that the Pope cannot be bound, and much leſſe can bind himſelfe; that to ſay otherwiſe was a manifeſt hereſie; from the guilt whereof he did abſolue thoſe that were faultie, becauſe he thought they did not ſpeake obſtinately: but hereafter if any ſhall ſay the ſame, or the like, againſt the authoritie giuen him by God, he will giue order that the *Inquiſition* ſhall proceed. Hee added, that hee would make Cardinals, and would not haue any contradiction, becauſe he wanted perſons for employment, which he could not put vpon them, becauſe euery one had his proper faction: that it was fit to promote men of learning, and of exemplarie life, to imploy them for reformation of the Church, eſpecially in the Councell, whereof it was high time to treate ſeriouſly, which he would propoſe with the firſt occaſion. But now he would name vnto them the perſons to be promoted to the Cardinalitie (a thing not to be deferred any longer) that they, hauing a conſultiue voyce, might put to his conſideration what was for the good of the Church; wherein they ſhould be heard; and that they ſhould not beleeue they had a deciſiue voice, becauſe that belonged onely to him. He propoſed ſeuen perſons: in which number onely one was kinſman, and another of the *Theatine Congregation*; the others were men of much fame, either for learning, or for the negotiations of the Court. Amongſt theſe was *Iohannes Groperus*, of Collen, of whom often mention hath beene made; who knowing he would not liue long, thinking to honour his memorie much more by refuſing a dignity, deſired euen by great Princes, then by keeping

And createth Cardinals, contrarie to his Oath.

it

it a few dayes, which would giue matter of diſcourſe to thoſe that were emulous of him, he ſent the Pope many thankes, together with his excuſe, and, refuſing the ornaments, would neither haue the name, nor the title. The Cardinals were created the next Sunday before the league was concluded with *France*, which was the 15. of that moneth. 1555 PAVL 4. CHARLES 5. MARY HENRY 2.

At this time Cardinall *Poole*, who for many reſpects of ſucceſsion, and to ſhew hee was not ſo much obliged to the Papacie, would not receiue eccleſiaſticall *Orders*, theſe cauſes being ceaſed, went out of the number of the Deacon Cardinals, and was ordained Prieſt: and, foure moneths after, the Arch-biſhop of *Canterburie* being burnt, hauing beene firſt degraded with many ceremonies, he was put into his place. Card. *Poole* is ordained Prieſt & made Arch-biſhop of *Canterbury*.

The people of *Auſtria*, in regard of the *Receſſe* made in the Diet, and of *Ferdinands* declaration in fauour of the Cities, and Nobles ſubiect to Eccleſiaſticall Princes, entred into hope that themſelues alſo might retaine libertie of religion. Therefore hauing called a Diet of his Subiects, to haue a contribution againſt the Turkes who made warre againſt him, they demaunded permiſſion and freedome to liue in puritie of religion, and to inioy the benefit which was granted vnto the *Confeſſioniſts*; telling the King that the ſcourges of the Turkes, are Gods viſitations, to inuite them to amendment of life; that Armes are in vaine taken againſt the enemie, if the wrath of God be not firſt appeaſed, who will be honoured according to his owne preſcript, and not according to the fanſies of men. They beſeeched him that they might not be in worſe eſtate then other Germans, and that Miniſters of the Church might teach and diſtribute the Sacraments, according to the Euangelicall and Apoſtolicall doctrine; and that the Schoole-maſters ſhould not be baniſhed vntill their cauſe were heard, according to iuſtice; offering, vpon theſe conditions, to aduenture their liues and goods, to giue him contentment. The people of *Auſtria* deſire libertie of religion.

Ferdinand anſwered, that hee could not grant their demand, not for want of will to gratifie them, but becauſe hee was bound to obey the Church, and that himſelfe and *Cæſar* had euer deteſted the diſcords in religion; for remedie whereof they had inſtituted many *Colloquies*, and finally procured the Councell of *Trent*; which if it had not a happie ſucceſſe, it was not to bee imputed vnto them, in regard it is knowne with what counſels and artifices it hath beene hindred by others; that afterwards an Edict was made in fauour of the *Auguſtan Confeſſion*, in which themſelues were partakers, becauſe it was ſaid therein, that euery Prince, not Eccleſiaſticall, might chooſe which of the two religions hee would, and the people follow the religion of the Prince, with which if any bee not content, hee hath libertie to ſell his goods, and to goe whither hee will; that therefore their dutie was to continue in the olde Catholike religion, which himſelfe profeſſeth: but to yeelde to their deſires as much as hee could, he was content to ſuſpend that part of the Edict which concerneth the Communion of the *Cup*, yet with condition that they ſhould change nothing in the rites and ceremonies of the Church, vntill the Decree of the future Diet. And they, deſiring nothing elſe, were content to contribute readily againſt the Enemie. To whom *Ferdinand* anſwereth thus.

The Bauarians alſo deſired of their Duke, libertie of religion, demanding

1556
Pavl 4.
Charles 5.
Mary
Henry 8.

a free preaching of the Gospel, mariage of Priests, the Communion *Sub vtraque*, and to eate flesh euery day, protesting that, otherwise, they would not pay the heauie Subsidies, and contributions against the Turkes. The Duke, seeing that *Ferdinand* (his wiues Father in law) had granted his people the Communion of the *Cup*, to obtaine contributions of them, did likewise grant them that Communion, and leaue to eate flesh, if there were necessitie, on fasting dayes, vntill the causes of religion were composed by publike authoritie, the Edicts made by him in matter of religion still remayning in force; protesting, in many and copious termes, that hee would not depart from the Church, and religion of his ancestors, nor change ought in the ceremonies, without consent of the Pope, and the Emperour, promising to procure that his Metropolitan and Bishops should approoue this grant, and not molest any for these things. The whole Palatinate did imbrace the *Augustan Confession*, because, the *Elector* being dead, his Nephew succeeded, who had declared himselfe to be of that *Confession* many yeeres before; for which he had suffered many persecutions. And, now being made Prince, hee presently forbad the *Masses*, and Roman ceremonies throughout all his principalitie.

The Bauarians also desire liberue of religion.

Which their Duke doeth grant vnto them in some few points.

The whole Palatinate doeth imbrace the Augustan Confession.

But the Pope, hauing laid the foundations before rehearsed, applying himselfe to spirituall matters, thought it necessarie to gaine credit with the world; which could not bee done, if it did not appeare by deedes, not by words onely, that the Court of *Rome* was reformed. Therefore, being wholly bent to this, in the end of Ianuarie 1556. he erected a Congregation, in which were foure and twentie Cardinals, and fiue and fourtie Prelates and other persons, the most learned of the Court, to the number of 150. and diuided them into three rankes, in each of which were eight Cardinals, fifteene Prelates; and others to the number of fiftie. To these hee committed the discussion of all the doubts in matter of Simonie, which hee printed, and sent copies of them to all Princes, and saide hee had published them, that they might come to the knowledge of the *Vniuersities*, of generall *Studies*, and of euery learned man, that all might haue occasion to make knowne their opinions, which hee would not openly desire, because it was not honourable for that Sea, which is mistris of all, to goe about and beg them. Hee saide that, for himselfe, he had no neede of the instruction of any, because he knew what Christ did command; but that hee had erected the congregation, that, in a matter, wherein all are interested, it might not bee saide that hee had proceeded of his owne head. Hee added that, hauing purged himselfe and his court, it could not bee saide to him, *Physician cure thy selfe*, and that hee would make Princes know that there is greater Simonie in their Courts, which hee would take away, being superiour aswell to Princes, as Prelates.

1556
The Pope erecteth a congregation to discusse all doubts concerning Simonie.

In the first meeting of which 3 opinions are broached.

In the first Congregation of the first ranke, held the 26. of March, before Cardinall *Bellai*, Deane of the Colledge, twelue persons did speake, and there were three opinions. One of the Bishop of *Feltre*, who defended that for the vse of the spirituall power it is not inconuenient to take money, when it is not for a price, but for other respects: another of the Bishop of *Sessa*, that this was by no meanes lawfull, and vpon no condition, and that it was absolutely

absolutely detestable Simonie, as well to giue as to receiue, not could bee excused with any pretence: the third of the Bishop of *Sinigaglia*, in the middle betweene these two, that it might bee lawfull, but in some certaine time onely, and with certaine conditions. The voyces of that ranke being all giuen, & brought to the Pope after Easter holy dayes, he, seeing the diuersitie of the opinions, did almost resolue to publish a *Bull* according to his owne sence, that it was not lawfull to take a reward, present, or almes, not onely demanded, but voluntarily offered, for any spirituall grace whatsoeuer, that hee would grant no more matrimoniall dispensations, and was in a minde to redresse those that were already granted, as much as hee could without scandall. But there were so many delayes and impediments interposed by diuers, that hee could not come to a resolution.

1556
PAVL. 4.
CHARLES 1.
MARY.
HENRIB. 2.

The Pope intendeth to publish a *Bull* according to his owne opinion.

The Bull is hindered.

Some told him that it was necessary to handle such a thing in a generall Councell; which hee heard with great indignation, and said hee had no neede of a Councell, himselfe beeing aboue all. And Cardinall *Bellai* saying, that a Councell was necessary, not to adde authoritie to the Pope, but to finde a meanes for execution, which cannot bee vniforme in all places, hee concluded, that, if a Councell were necessary, it should bee held in *Rome*, and that it was not needfull to goe elsewhere; that hee neuer consented that the Councell should bee held in *Trent*; as was knowen to them all, because it was in the middest of the Lutherans, that the Councell is to consist of Bishops onely; that other persons might bee admitted for counsell, yet onely Catholikes, otherwise the Turke also ought to bee admitted; that it was a great vanitie to send into the mountaines threescore Bishops, of the least able, and fourtie Doctours of the most vnsufficient, as was twice done already, and to beleeue that, by those, the world could bee better regulated, then by the *Vicar* of CHRIST, with the Colledge of all the Cardinals, who are the pillars of all Christendome, elected for the most excellent of all Christian Nations, and by the counsell of the Prelates and Doctors which are in *Rome*, who are the most learned persons in the world, and more in number then, by any diligence, can bee brought to *Trent*.

His opinion concerning the Councell of Trent.

But when newes came to *Rome* of the grant of the *Cup*, made by the Duke of *Bauaria* to his subiects, hee entred into a great rage against him: and hee put this amongst other things, for which hee disseigned to make prouision at once, beeing full of hope that euery thing would bee easie vnto him, if the Court were reformed, and was not troubled though hee saw the number of abuses to increase. For a few dayes after the Ambassadour of *Polonia*, comming expressly to congratulate his Holinesse for his assumption to the Popedome, made fiue demands in the name of the King and the Kingdome. To celebrate the Masse in the Polonian tongue. To vse the communion *sub vtraque specie*. The marriage of Priests. That the paiment of *Annates* might bee taken away. And that they might call a nationall Councell to reforme the proper abuses of the Kingdome, and to reconcile the varietie of opinions. Hee heard these demands with vnspeakable impatience, and set himselfe to detest them most bitterly, speaking against them, one after another, with infinite vehemencie. And, for conclusion hee said, that a generall Councell in *Rome* would cause the heresies and bad opinions

He is much distasted with ỳ grant made by the Duke of *Bauaria*.

As also with the fiue demands made by the Polonian Ambassadours.

1556 Pavl 4. Charles 5. Mary. Henry 2.

of many to bee knowen, alluding to what was done in *Germany*, *Austria*, and *Bauaria*. And beeing for these reasons almost resolute in himselfe, (or at the least, willing to seeme so) that it was necessary to call a Councell, hee told all the Ambassadours that they should signifie to their Princes his purpose to make a Lateran Councell, like vnto that which is so famous. And hee sent *Nuncij* to the Emperour and the French King, to exhort them to peace, though in *France* hee had a more secret negotiation. Hee gaue commission also to treate with them of the Councell; and said in the Consistory, in a long discourse, (as hee was very copious) that it was necessary to celebrate it quickly, seeing that besides *Bohemia*, *Prussia*, and *Germanie*, which were much infected (for those were his words) *Polonia* also was in danger. That in *France* and *Spaine* they were well affected in Religion, but the Clergie was badly vsed. That which hee principally reprehended in *France*, was the exaction of Tenths, which the King made the Clergie ordinarily pay. But hee was more incited against *Spaine*. For *Paul* the third, and *Iulius*, hauing granted the Emperour *Charles* the halfe and quarter fruits, for a Subsidie of the warre of *Germanie*, and hee hauing reuoked the grant, because hee was not satisfied with the *Recesse* of *Ausburg*, yet they persecuered in *Spaine*, and forced the Clergie to pay, by sequestrations and imprisonments.

Which maketh him speake of holding a Lateran Councel.

He is angry with ỹ French King.

And with the Emperour much more.

Hee did not forbeare to say, that the Emperour was an heretike; that in the beginning hee fauoured the innouators of *Germany*, to depresse that holy Sea, and to make himselfe Lord of *Rome*, and of all *Italie*; that hee held *Paul* the third in perpetuall trouble, and that hee should not doe the like to him. Hee added, that although hee might remedie all these inconueniences by his owne authoritie, yet, not to lay so great a burden vpon himselfe alone, hee would not doe it without a Councel; that hee had called it in *Rome*, and named it the *Lateran*; that hee had giuen Commission to signifie it to the Emperour and French King in courtesie, but not to haue their consent or counsell, because his will was they should obey; that he was assured it would please neither of them, because it is not for their purpose, liuing as they doe, and that they will say many things against it, to disturbe it. But hee will call it whether they will or no, and make knowen what that Sea can doe, when it hath a Pope of courage. The 26. of May, the anniuersarie of his coronation, all the Cardinals and Ambassadors dining with him, according to custome, hee began, after dinner, to discourse of the Counced, and that his resolution was to celebrate it by all meanes in *Rome*, and that in courtesie, hee gaue notice thereof to the Princes, and that the high wayes may be made secure for the Prelates. But if no Prelates would come thither, yet hee would hold it with those onely who are in Court, because hee well knew what authoritie hee had.

While the Pope was busie about the reformation, newes came to *Rome* that a truce was concluded the fifth of February betweene the Emperour and French King, by the mediation of Cardinall *Poole*, who did interpose, in the name of the Queene of *England*: which made the Pope amazed, and the Cardinall *Caraffa* much more, hauing beene treated, and concluded without them. The Pope was displeased, principally for the losse of reputation, and for the danger which it brought, if those two Princes were

But most of all for the truce concluded betweene those two Princes.

ioyned

ioyned, at whose discretion he must needes stand. To the Cardinall, impatient of rest, it seemed that fiue yeeres, in the decrepit age of his Vncle, did quite take from him all occasions to chase the Spaniard out of the kingdome of *Naples*, whom he so much hated. Yet the Pope, not loosing courage, made shew of ioy for the truce, but saide he was not fully satisfied with it; because a peace was necessary in regard of the Councel, which he purposed to celebrate, which he was resolued to treat, and for that end, to send Legates to those Princes, beeing assured to conclude it, because hee would imploy his authority. For hee would not bee hindered in the gouernement of the Church, committed to him by CHRIST. To the Emperour he sent *Scipio Rebiba*, Cardinall of *Pisa*, and to the French King Cardinall *Caraffa*, his nephew. This went with all speede, and to the other order was giuen to goe slowly. *Rebiba* had instruction to exhort the Emperour to amend *Germany*, which was not done vntill then, because none had proceeded aright in that enterprise. He knew the defects of his predecessors, who, to stop the reformation of the Court, did hinder the good progresse of the Councel. But contrarily he was resolued to promote the reformation, and to celebrate a Councel in his owne presence, and to beginne with this point; assuring himselfe that when they should see the abuses taken away, for which they haue separated themselues from the Church, and remaine contumacious still, they will desire, and runne to receiue the decrees and constructions which the Councel will make, where shall be reformed, not verbally, but really, the Head, members, Clergie, Laitie, Princes, and people. To doe so good a worke, a truce of fiue yeeres is not sufficient, because there are no lesse suspicions in truces then in warres, and one must euer bee ready to prouide against the time when they end; that a perpetuall peace is necessary, to remooue all malice and suspicions, that all may bend themselues ioyntly, without worldly respects, to that which concerneth the vnion and reformation of the Church. He gaue the like instruction to *Caraffa*, and was content it should be published, by giuing out some copies of it.

1556
PAVL 4.
CHARLES 5.
MARIE
HENRY 2.

Notwithstanding he dissembleth his passion and sendeth Legates to them both, to treat a peace, but intendeth nothing but war.

The Court did generally thinke that the Pope spake so often and so earnestly of the Councel, that no man else might propose it vnto him, and did threaten the Princes, and all the world with it, to make them abhorre it. But afterwards it was knowne that he designed to free himselfe by another way, from the trouble giuen to his predecessours. For when the reformation only of the Pope, of the Court, of the exempted and priuiledged persons, dependants of the Popedome, was proposed, euery Prince, people and priuate man, in regard nothing was to be handled that concerned them, was forward to sollicite the Councel; but he proposing the reformation of the Clergie, Laitie, and especially of the Princes, with a most seuere *Inquisition*, which he designed to institute, he made them all equall, so that himselfe was not in question only, but otherwise. And this was a secret, by which hee ment to hold all men in feare, and himselfe in reputation of integrity, and worth. And, concerning the Councel, hee ment to gouerne himselfe according to the coniunctures, neuer holding this point constantly, to celebrate it in *Rome*.

But, to returne to the Legates, hee gaue his nephew a large instruction,

1556
Pavl 4.
Charles 5.
Mary.
Henry 2.

to trie the Kings minde, and, if hee ſaw him reſolute to obſerue the truce, to thunder into his eares the ſame leſſon of the Councel: and to *Rebiba* he gaue order to gouerne himſelfe as hee ſhould receiue aduice from his nephew. *Caraffa* caried to the King, the Sword and Hat, which the Pope had bleſſed on Chriſtmas day at night, according to the cuſtome. Of the Peace hee made no mention, but repreſented to the King, that howſoeuer the league was not violated by the truce of fiue yeeres, yet it was made of no force, to the great danger of his Vncle and of his family, and that they had already ſome taſte thereof, by that which the Spaniards had done. Hee recommended to him, in moſt effectuall termes, Religion, and the Papacie, to which his predeceſſours gaue ſingular protection, and the Pope himſelfe and his family, much deuoted to his Maieſty. The King was not auerſe, but remayned doubtfull, conſidering the Popes age, who might die when hee ſhould haue moſt need of him. *Caraffa* perceiued this, and found a remedy, promiſing that the Pope ſhould create ſo many Cardinals, partiall for *France*, and enemies to *Spaine*, that hee ſhould euer haue a Pope on his ſide. The Cardinals perſwaſions, and the promiſe of the promotion, and the abſolution from the oath of the truce, which he gaue in the Popes name, together with the negotiation of the Cardinall of *Loraine* and his brother, made the King reſolue to moue warre, though the Princes of the *Blood*, and all the *Grandies* of the Court abhorred the infamy of breaking the truce, and receiuing abſolution from the oath. The concluſion beeing made, *Caraffa* recalled the Legate ſent to the Emperour, who was arriued at *Maſtric*, and cauſed him to come into *France*, though he was but two daies iourney diſtant from *Caſar*: which made the Emperour, and the King his ſonne, beleeue that in *France*, ſome thing was concluded againſt them.

The French King breaketh the truce at the Popes inſtance.

The Popes diſtaſts, againſt the Emperor, and his ſonne, did daily increaſe. He made a moſt ſeuere proceſſe againſt *Aſcanius Colonna*, and *Marcus Antonius* his ſonne, for many offences, which he pretended to bee done againſt the Apoſtolique Sea, ſo long ſince, as when *Clement* was beſieged, and afterwards againſt *Paul* the third, and *Iulius*, and by *Marcus Antonius* againſt himſelfe, and the State of the Church: and, relating in Conſiſtory all the iniuries done of old, by the Colonneſi, againſt the Apoſtolique Sea, did excommunicate *Aſcanius* and *Marcus Antonius*, depriue them of all dignity and fee, with cenſures againſt thoſe that gaue them aſſiſtance, or fauour, and did confiſcate all their poſſeſſions within the State of the Church, and gaue them to the Count *Montorius*, his Nephew, with the title of Duke of *Pagliano*. *Marcus Antonius*, retiring into the kingdome, was receiued, and ſometimes made excurſions vpon his owne lands, with ſome few Souldiers, which much prouoked the Pope; who thinking his nods were commaundements vnto all, able to terrifie euery one, hee could not endure to be ſo little eſteemed at *Naples*, his Countrey, where hee would haue beene thought to bee omnipotent. He thought in the beginning, by talking lauiſhly of the Emperor, and of the King, to make them deſiſt from fauouring the Colonneſi, and therefore ſpake very often diſgracefully of them, in the preſence of all ſorts of perſons, but moſt willingly when any Spaniſh Cardinall was preſent, and, at laſt, commaunded it ſhould be written vnto them.

The Pope proceedeth ſeuerely againſt the Colonneſi.

Who retire into ỹ kingdome of *Naples*, & make excurſions vpon their lands

None

None of theſe proofes taking effect, he proceeded further, and the three and twentieth day of Iuly made the *Fiſcal*, and *Siluester Aldobrandinus*, the Conſiſtoriall aduocate, appeare in the Conſiſtorie, who declared that his Holineſſe hauing excommunicated, and depriued *Marcus Antonius Colonna*, and prohibited, vnder the ſame cenſures, all ſorts of perſons to aſſiſt or fauour him, and it being notorious that the Emperour, and King *Philip*, his ſonne, had furniſhed him with horſe, foote, and money, they were fallen into the puniſhments of the ſame ſentence, and had loſt their Territories, which they held in *Fee*. Therefore they deſired that his Holineſſe would proceed to a declaratorie ſentence, and giue order for execution. The Pope anſwered that he would aduiſe of it, by the counſell of the Cardinals, and giuing them leaue to depart, he propoſed in Conſiſtorie what was fit to bee done, in a caſe of ſo great importance. The French Cardinals ſpake with much honour of the Emperour, and King *Philip*, but ſo that the Pope was more prouoked. The Imperialiſts vſed words of an ambiguous ſence, fit to gaine time. The Theatini, the Popes owne Cardinals, ſpake magnificently of the Papall authoritie, and of the worth and wiſedome of his Holineſſe, who onely knew how to finde a remedy for that maladie, praying all that he had done, and referring themſelues vnto him for all the reſt. The Conſiſtory being diſmiſſed without a reſolution, the Pope knew that either hee muſt yeeld, or come to a warre; from which being not auerſe, in regard of his naturall diſpoſition, full of courage and hopes, aduiſe came fitly to him from his Nephew, of what was concluded in *France*. So that the diſcourſes of reformation and Councels were turned into parlies of money, Souldiers, and intelligences; of which things, as not pertaining to my purpoſe, I will onely ſay as much as may ſhew what the Popes mind was, and how much he was addicted to a true, or, at leaſt, to a colourable reformation of the Church. The Pope armed the Citizens, and inhabitants of *Rome*, for the moſt part, artiſans, and ſtrangers, to the number of 5000. diſtributing them vnder the Heads of the *Rioni*, for ſo they were called: he cauſed many of his Cities to bee fortified, and put gariſons in them; and the French King ſent him, at his inſtance, 3000. Gaſcons, by ſea, that hee might ſubſiſt while the royall armie was prepared.

1556
PAVL 4.
CHARLES 5.
MARY.
HENRY 2.

The Pope maketh ſhew that he will proceede againſt the Emperor, and his ſonne.

Prouideth for warre.

Wards or precincts.

In theſe negotiations, and preparations for warre, the Pope impriſoned many Cardinals, Barons, and others, vpon ſuſpicion: as alſo *Carſillaſſo di Vega*, Ambaſſadour of *Philip* King of *England*, and *Ioannes Antonius Taſſis*, the Emperours Poſt-maſter. And to the Duke of *Alua*, who ſent to proteſt againſt him, for maintaining in *Rome* the fugitiues of the kingdome of *Naples*, for laying hands on, and keeping in priſon publique perſons, without reaſon, for hauing opened the Kings letters (all which things he had done) adding that the King, for preſeruation of his honour, and of the right of his people, could not chooſe, in caſe his Holineſſe did perſeuere in ſuch offenſiue actions, but ſeeke reuenge for the iniurie, he ſent backe an anſwere, that hee was a free Prince, and ſuperior to all others, not bound to giue any account, but to demaund it of any whoſoeuer; that he might entertaine any perſons, and open any letters, which hee thought to be written againſt the Church: that if *Carcillaſſo* had done the office of an Ambaſſadour, nothing ſhould

And impriſoneth many Cardinals & Barons vpon ſuſpicion, and King *Philip* his Ambaſſadour.

The Duke of *Alua* proteſteth of the wrong done to his Maſter by the Pope, and receiueth a proud anſwere.

1557
PAVL 4.
CHARLES 5.
MARY.
HENRY 2.

should haue beene done against him, but hauing made treaties, mooued seditions, plotted against the Prince, to whom he was sent, he had offended as a priuate man, and as such should bee punished; that danger should make him be wanting to the dignitie of the Church, and defence of that Sea, referring all to GOD, by whom hee was made sheepeheard of the flocke of CHRIST. And the Pope still continuing to make prouision, the Duke of *Alua* being resolued that it was better to assault then to be assaulted, sent another protestation against him, that, the King hauing endured so many iniuries, knowing that the intention of his Holinesse was to dispossesse him of the kingdome of *Naples*, and being assured, that, to this end, hee had made a league with his enemies, could not continue in those termes: and therefore in regard his Holinesse did desire warre, hee did denounce it against him, and would begin it quickly, protesting that the calamities thereof could not be imputed to him, and laying the blame vpon the Pope. But if he desired peace, he did offer it likewise vnto him, with all readinesse. The Pope making a shew to desire peace, but answering onely in generall termes, to gaine time, the Duke began to make warre the fourth of September, and in the yeere 1556. possessed himselfe of almost all *Campania*, holding it in the name of the next Pope, and came so neere to *Rome*, that he put all the Citie in feare, and made them strengthen and fortifie it. And the Pope, to teach the Gouernours of strong places what they ought to doe in such cases, compelled all the religious persons, of what state or quality soeuer, to carry earth with a dosser on their shoulders, to rayse the bulwarkes. Amongst other places which had need of Rampards, one was neere the gate of the people, at the end of the way called *Flaminia*, where there is a Church of our Ladie, of much deuotion; which the Pope purposing to pul down, the Duke sent to pray him to let it stand, giuing his word & oath that he would make no vse of the opportunity of that place. But the greatnesse of the Citie, & other respects and dangers, counselled him, not assayling *Rome*, to vndertake smaller enterprises.

For which cause he moueth warre against him.

The Pope armeth the Regulars, and purposeth to pull downe a Church of great deuotion.

The Emperour quitteth the world.

It gaue much matter of discourse, that, this yeere, *Charles* the Emperour parted from *Flanders*, and passed into *Spaine*, to betake himselfe to a priuate life, in a solitarie place; so that they made a comparison betweene a Prince, trained vp, from his infancie, in the negotiations, and affaires of the world, who, at the age of little more then fiftie yeeres, had resolued to quit the world, and onely to serue God, changed from a mightie Prince, to a meane religious person, and one, who had formerly abandoned the Episcopal charge, to retire into a Monasterie, and now, being at the age of 80. yeeres, and made Pope, did wholly addict himselfe to pompe and pride, and endeauoured to set all *Europe* on fire with warre.

1557
The Duke of *Guise* passeth into *Italy* with an army.

In the beginning of the yeere 1557. the Duke of *Guise* passed into *Italie*, with his armie, in fauour of the Pope; who, to obserue the promise of his nephew made to the French King, made a promotion of 10. Cardinals; which not being according to the meaning, and the end agreed on, neither for the number, nor qualitie of the persons, his excuse was, that hee was so neerely conioyned with his Maiestie, that his dependants would be as seruiceable to the King, as the Frenchmen themselues, and that he might assure

The Pope createth ten Cardinals.

him-

himselfe that they were all for him; and that he could not then make a greater promotion, seeing the number was so great already, arriuing to 70. which would quickely be diminished, by remooving some rebels, and putting honest men in their roomes; which hee meant of those who were alreadie in the Castle, and others against whom he had a desseigne, as well for matter of State, as of Religion. For he was not so intent to the warre, as that he did abandon the busmesse of the *Inquisition*, which he said was the principall secret and mysterie of the Papacie. He had some information against Cardinall *Morone*, that he helde intelligence in *Germanie*, and did imprison him in the Castle, deputing foure Cardinals to examine him seuerely, and *Egidius Foscararus*, Bishop of *Modena*, as confederate with him.

1557
Pavl 4.
Charles 5.
Marie.
Henry 2.

The Inquisition is the principall myster of the Papacie.

Card. *Morone*, and the B. of *Modena* are imprisoned.

Hee depriued also Cardinall *Poole* of his Legation of *England*, and cited him to appeare in the *Inquisition* at *Rome*, hauing alreadie imprisoned his inward friend, as one of his complices, *Thomas S. Felice* Bishop of *Caua*. And that he might not pretend to stay in *England*, vnder colour of his Legation, and the affaires of those Churches, hee created Cardinall at Whitsuntide *William Peto*, Bishop of *Salisbury*, and made him Legat in the place of *Poole*. And although the Queene and King, testifying what seruice hee had done to the Catholique Faith, made earnest intercession for him, yet the Pope would neuer remit one iote of his rigour. Cardinall *Poole* obeyed, laying aside the administration and ornaments of a Legat, sending *Ormaneto* to *Rome*, to giue an account of his Legation; but himselfe parted not out of *England*, alledging the Queenes Commandement, because neither shee, nor the King, thinking the Pope was passionate, would consent that hee should goe. In *England* many were scandalized for it, and aliened from the Pope, and many in *Rome* thought it a calumnie, inuented to reuenge himselfe for the truce betweene the two Kings, treated by him being Cardinall and Legat, without imparting it to him. And the opposition which he made against him in the Conclaue, to hinder him from being Pope, was thought to haue no better ground. The new Legat, a man of great integritie, had the same conceits; who, though hee tooke vpon him the name of Legat, not to anger the Pope, yet in nine moneths that he liued, after he had the crosse of the Legation, hee did neuer exercise the Charge, but bare the same respect towards *Poole*, as before.

Poole deprived of his Legation.

Wherewith many were offended.

The Duke of *Guise* desireth to assaile the Kingdome of *Naples*, but is hindered by the Pope.

The Duke of *Guise* receiueth a repulse, by default of the *Caraffi*.

The Duke of *Guise*, being come into *Italy*, made warre in *Piemont*, with purpose to continue it in *Lombardie*, and so to diuert the armes taken vp against the Pope: But the Popes ardent desire to assaile the Kingdome of *Naples*, did not permit him. The Frenchmen knew the difficulties, and the Duke of *Guise*, with some principall Commanders, went to *Rome* by post, to make the Pope vnderstand, what the reasons of warre did perswade. In whose presence all being consulted on, and the Popes resolution not giuing place to any other deliberation, it was necessarie to yeeld vnto him. Yet they did nothing, but assault *Ciuitella*, a place situated at the entry into the Prouince of *Abruzzo*, where the armie had the repulse; and *Guise* complained much that the *Caraffi* had not made the prouisions which they had promised, and were necessarie. In summe, the Popes armes, as well his owne, as auxiliarie, were not much fauoured by God. But in the midst of August the

armie

1557 armie of the Duke of *Alua* approching *Rome*, not afraid of the French, which was entertained in *Abruzzo*, and the Pope vnderstanding the surprize and sacke of *Signea*, the slaughter of many, and the danger in which *Pagliano* was, he related all in Consistorie, with many teares; adding, that he did vndauntedly expect martyrdom, the Cardinals marueiling that he should paint out the cause to them, who vnderstood the trueth, as if it had been of Christ, whereas it was profane, and proceeded from ambition, and say it was the principall sinew, and mysterie of the Papacie.

Pavl 4. Ferdinand.

Marie. Henry, 2.

The Pope is terrified by the approching of the Duke of *Alua*.

When the Popes affaires were in the greatest straits, the French Kings armie had such a great ouerthrow neere to S. *Quintin*, that he was forced to recall the Duke of *Guise*, and his forces, for the safetie of the Kingdome; letting the Pope know his ineuitable necessitie, giuing him leaue to take what counsell seemed best for him, and sending him backe the hostages. The Pope refused to let *Guise* returne, whereupon there being a great contestation betweene them, the Pope not able to keepe him, bid him goe, seeing he had done little seruice to the King, lesse to the Church, and none at all to his owne honour. In the end of that moneth, the Duke of *Alua* approached *Rome*, which he had taken but for want of courage. His retreat was ascribed to the baseneese of his minde, who publikely said, that he feared, that if *Rome* had been sacked, the armie would haue beene scattered, and the Kingdome exposed to danger, without forces or defence. But secretly hee said, that being in the seruice of a King, who bare great reuerence to that place, he refrained to doe it, because he knew not whether the action would haue beene approoued. Finally, a composition was made the fourteenth of September betweene *Alua* and the *Caraffi*, the warre hauing continued a whole yeere. In the capitulations the Pope would not haue *Colonna*, nor any of his subiects comprehended, nor any word inserted, to shew, that he had offended in imprisoning the Emperours Ministers, but maintained most constantly, that the Duke of *Alua* ought to come to *Rome* to aske pardon, and receiue absolution; saying plainely, that before he would loose one iote of this due (for so hee called it) he would see the whole world ruined; that the question was not of his owne, but of Christs honour, which he could not preiudice, nor renounce. With this condition, and with the restitution of the cities taken, the controuersie was ended. It was esteemed a prodigie, that the very day that the Peace was concluded, there was such a great inundation of the riuer Tiber, that all the plaine of *Rome* was drowned, and a great part of the fortifications of the Castle S. *Angelo* was ouerthrowen. The Duke of *Alua* went personally to *Rome* to submit himselfe to the Pope, and receiue absolution in the Kings name, and his owne. So it happened, that the conquerour bare the indignitie, and hee that was ouercome triumphed more, then if he had beene victorious. And it was no small fauour that the Pope receiued him with humanitie, though hee forbare not his vsuall haughtie state.

Maketh the French king recall the D. of *Guise*, and his forces.

Whom the Pope dismisseth with bad termes.

The Duke of *Alua* might haue taken *Rome*, and did not.

But made a base composition with the Pope.

And goeth to *Rome* to demand absolution.

The warre was no sooner ended, but new troubles came vpon the Pope. For aduise was sent out of *France*, that, the fifth of September at night, in *Paris*, about two hundred persons were assembled in an house to celebrate the Communion; which beeing discouered by the common people, the house

houſe was aſſaulted, and ſome fled, but the women and weaker ſort were taken, of whom ſeuen were burned, and the greater part of the others reſerued for the ſame puniſhment, to be inflicted when the complices were found out. The Suiſſes made interceſſion for theſe; and the King in regard of his warre with the King of *Spaine* (for ſo *Philip* was called after the reſignation of his father) hauing need of their aſſiſtance, gaue order that the proceeding againſt them ſhould bee moderate. The Pope was infinitely angrie, and complayned in Conſiſtory, and ſaid it was no maruell if the affaires of the King, did not ſucceed well, becauſe he more eſteemed the aſſiſtance of heretiques, then the fauour of God. The Pope had forgotten that, in the time of his war, the Cardinals of the *Inquiſition* complayning that the Proteſtant Griſons, brought to his pay, for the defence of *Rome*, vſed many ſcornes againſt the Churches and Images, his Holineſſe did reprehend them, ſaying they were Angels, ſent by God, for the cuſtody of the City, and of his perſon, and that hee had a ſtrong hope that God would conuert them. So men iudge diuerſly of their owne intereſts, and of the facts of others. The Pope tooke occaſion hence, to call to minde two conſtitutions, which the King had made the ſame yeere, which he ſaid were againſt the libertie of the Clergie, and therefore was reſolute they ſhould be abrogated. The one was publiſhed the firſt of March, that marriages made by ſonnes before the age of thirty yeeres compleat, and of daughters before twenty fiue, without conſent of the father, or of him in whoſe power they were, ſhould bee void. The other the firſt of May, that all Biſhops and Curates ſhould reſide, vpon paine of loſſe of the reuenues, with an impoſition of an extraordinary ſubſidy, beſides the ordinary tenths, to pay fiue thouſand foote ſouldiers. The Pope thought not of theſe things when the newes came, becauſe hee was then in warre, and had neede of the King. But this reaſon ceaſing, hee complayned that hee had medled euen with the Sacraments, and vnſupportably burthened the Clergie. Hee ſaide it was neceſſary to prouide againſt theſe diſorders, by a Councel, which were greater then could bee obiected againſt the Clergie; that it was fit to beginne the reformation from hence; that the French Prelates durſt not ſpeake ſo long as they were in *France*, but beeing in a Councel in *Italy*, free from feare of the King, their complaints would ſoone be heard. Amongſt theſe diſtaſts the Pope receiued ſome ioy, that the Colloquie, begunne in *Germany*, to compoſe the differences in religion (which troubled his Holineſſe and the Court, as all Colloquies had done) was reſolued into nothing. The beginning, progreſſe, and end whereof, I thinke neceſſary to recount, for the vnderſtanding of the things that follow.

1557
PAVL 4.
FERDINAND.
PHILIP 2. K. of *Spaine*.
MARIE.
HENRIE 2.

The Pope is angry with the French K. for vſing moderation towards the Proteſtants.

And for making two conſtitutions in matter of religion.

But is well pleaſed with the diſſolution of the Colloquy in *Germany*.

Ferainand hauing, in the Diet of *Ratisbon*, confirmed peace in religion vntill a concord were concluded, to finde a way to make it, it was reſolued in the Diet, the thirteenth of March, that a Colloquie ſhould bee held in *Wormes*, of twelue Doctors of the old religion, and twelue Proteſtants, in which the differences ſhould bee diſcuſſed, to bring the parties to an agreement. *Ferdinand* appointed, for Preſident of the Colloquie, the Biſhop of *Namburg* who was ſo famous. The parties beeing met in the place the fourteenth of Auguſt, the twelue Proteſtants were not abſolutely of one opinion.

A relation of the Colloquy

For

1558. Pavl 4. Ferdinand. Philip 2. Mary. Henry 2.

For ſome of them, deſiring a perfect vnion of the Church, laboured to reconcile the doctrine of the *Heluetians*, which was different concerning the Euchariſt; and, for this end, the miniſters of *Geneua* had made a *Confeſſion* in this point, which did not diſpleaſe *Philip Melanchthon*, and ſixe more of the *Confeſſion* of *Ausburg*, but did not ſatisfie the other fiue. This being perceiued by the Biſhop, a man wiſe, and factious, whoſe end was that the *Colloquie* ſhould be diſſolued without fruit, hee made the Catholiques propoſe, that the *Colloquie* being inſtituted onely betweene them, and the *Confeſſioniſts*, it was neceſſary to condemne all the ſects of the *Swinglians*, and of others; becauſe the errors being vniformely condemned, the truth would eaſily appeare. The fiue aforeſaid, did conſent it ſhould be ſo. *Melanchthon*, who perceiued the cunning, which was to ſow diuiſion betweene them, and to make them at variance with the *Suiſſes*, the *Pruſsians*, and others, ſaid that it was fit to agree vpon the truth firſt, and then, by that rule, to condemne errors. The Biſhop ſhewing to the fiue that they were contemned by the other ſeauen, perſwaded them to depart from the *Colloquie*, and wrote the ſucceſſe to *Ferdinand*, concluding that they could not proceede, in regard of the departure of theſe, and that thoſe which remained would not firſt condemne the ſects. *Ferdinand* anſwered, that his deſire was they ſhould proceede, and that the *Confeſsioniſts* ſhould recall thoſe fiue that were departed, and the Catholiques bee in the meane ſpace content to begin and diſcuſſe the controuerſed articles. The Biſhop ſeeing that he had loſt this point, perſwaded the Catholike Collocutors to write to the King, that it was not iuſt to begin the treatie, if all the Proteſtants were not vnited, becauſe it would bee neceſſary to treat againe with the abſent, that which was concluded with the preſent, and ſo to take double paines. They all retired, without expecting any anſwere, and each partie blamed the other, excuſing it ſelfe vpon the reaſons aforeſaid.

1558. The Pope proceedeth ſeuerely againſt his owne family.

The Pope perceiuing that, by the warre paſt, hee was depriued of the credit with which hee thought to daunt the whole world, thought to regaine it by an heroicall action, and did, the ſixe and twentieth of Ianuarie, in Conſiſtorie depriue Cardinall *Caraffa* of the Legation of *Bolonia*, and of all gouernement, and confined him to *Ciuita Lauinia*, and tooke from *Iohn Caraffa* the Cardinalls brother, the command and charge of the Armie, exiling him likewiſe to *Galeſsi*. Hee depriued the other Nephew of the gouernement of *Borgo*, and baniſhed him to *Monte-bello*, commanding that their wiues, familie, and children ſhould depart from *Rome*, and themſelues not depart from the places to which they were baniſhed, vpon paine of rebellion. Hee depriued likewiſe all thoſe of their offices; to whom he had giuen them in contemplation of theſe. He ſpent more then ſixe houres, in complayning, and inueighing againſt their offences, with ſuch furie, that hee diſdained at the Cardinals who ſpake any good word to pacifie him. To Cardinall S. *Angelo*, who, firſt commending iuſtice, put him in minde of a ſaying of *Paul* the 3. which he often vſed, that the Pope ſhould neuer take hope of fauour from any, hee anſwered, that his grand-father *Paul* the 3. ſhould haue done better to haue proceeded againſt his father, and puniſhed his villanies. Hee inſtituted a new gouernment in *Rome*, and in the State of the Church, giuing the charge of all buſineſſes to *Camillus Orſinus*, vnto whom hee ioyned the Car-

Inſtituteth a new gouernment in *Rome*.

dinals

dinals of *Trani* and *Spoleto*, affecting a fame of iuſtice in theſe actions, and laying the blame of all the grieuances, which the people ſuffered, vpon the Nephewes. Being thus diſburthened of the gouernement, he applyed himſelfe wholly to the office of the *Inquiſition*, ſaying it was the true *Ramme* to beate downe hereſie, and defend the Apoſtolike Sea. And, not regarding what did befit the time, he publiſhed a new Conſtitution, dated the fifteenth of Februarie, which hee made all the Cardinals ſubſcribe. In this hee renewed euery cenſure and puniſhment, pronounced by his predeceſſors, and euery Statute of Canons, Councels, and Fathers, in what time ſoeuer, publiſhed againſt heretikes; ordaining that thoſe that were diſuſed ſhould bee brought in vſe againe. Hee declared that all Prelates, and Princes, euen Kings and Emperours, fallen into hereſie, ſhould bee, and ſhould bee vnderſtood to be depriued of all their Benefices, States, Kingdomes, and Empires, without further declaration, and vncapable to bee reſtored to them, euen by the Apoſtolike Sea: and their goods, States, Kingdomes, and Empire, ſhall bee vnderſtood to bee common, and to belong to thoſe Catholikes who can get them. This did miniſter much talke, and if it had not preſently beene diſeſteemed by the world, it would haue kindled a fire in all Chriſtendome.

1558
PAVL 4.
FERDINAND
PHILIP 2.
MARIE
HENRY 2.

And applieth himſelfe wholy to the office of the *Inquiſition*.

Making a new Conſtitution.

Which was diſeſteemed by the world.

Another accident made the world know that hee had not moderated the haughtineſſe of his minde. The Emperour *Charles* in the yeere 1556. by his letters written to the Electors and Princes, did abſolutely giue to *Ferdinand* all the adminiſtration of the Empire, without reſeruing any thing to himſelfe, commanding that hee ſhould bee obeyed by all. Afterwards hee ſent *William*, Prince of *Orange*, with two colleagues, to the Diet in *Germanie*, to tranſfer the name, title, crowne, and dignitie vpon *Ferdinand*, as if himſelfe had beene dead; which, not ſeeming fit to the Electors, was deferred vntill the yeere 1558. in which the fourth of Februarie, the day of the Natiuitie, Coronation, and other felicities of *Charles*, the Ceremonies of the reſignation being made by his Ambaſſadors, in preſence of the Electors, *Ferdinand* was inſtalled with the vſuall rites. The Pope hearing this, fell into an exceſſiue rage. He pretended that as the Popes confirmation doeth make the Emperour, ſo the reſignation cannot be put into the hands of any but himſelfe; in which caſe it belonged to him to make what Emperour hee pleaſed; alleadging that the Electors haue power, granted them by the Popes fauour, to elect the Emperour in place of him that is dead, but not in caſe of reſignation, in which it remaineth ſtill in the power of the Apoſtolike Sea; as alſo to the diſpoſition thereof are annexed all dignities reſigned vnto it. Therefore the reſignation of *Charles* is voide, and the whole authoritie to chooſe an Emperour is deuolued to him, and was reſolued not to acknowledge the King of the Romans for Emperour.

Ferdinand is inſtalled in the Empire.

The Pope refuſeth to acknowledge him.

Ferdinand, though hee knew this, ſent *Martin Guſman*, his Ambaſſador, to giue him an account of his brothers reſignation, and his owne aſſumption, to teſtifie vnto him the reuerence hee bare him, to promiſe him obedience, and to ſignifie vnto him that hee would ſend a ſolemne Ambaſſage, to treat of his Coronation. The Pope refuſed to heare him, and referred the diſcuſſion of the matter to the Cardinals: who related (for the Popes will was they

And to heare his Ambaſſador.

1558
Pavl 4.
Ferdinand
Philip 2.
Mary
Henry 2.

should doe so) that the Ambassador could not bee admitted, before it did appeare whether the resignation of *Charles* were lawfull, and the succession of *Ferdinand* iust. For hee being elected King of the Romans, and the election confirmed by *Clement*, to succeede after the death of the Emperour, it was necessarie the Empire should bee voide by death. Besides there was a *nullitie* in all the actes of *Francfort*, as made by heretikes, who haue lost all authoritie and power. Wherefore it was necessarie that *Ferdinand* should send a Proctor, and renounce whatsoeuer was done in that Diet, and beseech the Pope, that hee would graciously be pleased to make good the resignation of *Charles*, and his assumption to the Empire, by vertue of his plenarie power, from whom hee might expect all paternall grace and fauour. The Pope resolued according to this Counsell, and so declared himselfe to *Gusman*, giuing him three moneths to put it in execution, beyond which time hee would heare no more speech of it, but himselfe would create a new Emperour. Neither was it possible to remooue him, though King *Philip*, to fauour his vncle, sent *Francis Vargas* expressly, and after him *Iohn Figaroa*, to intreate him. *Ferdinand*, vnderstanding this, gaue order to *Gusman*, that, if within three dayes after the receipt thereof, hee were not admitted by the Pope, hee should depart, and protest vnto him, that *Ferdinand*, together with the Electors, would resolue of that which should be for the honour of the Empire: *Gusman* desired audience againe, which the Pope granted in priuate, not as vnto an Ambassadour of the Emperour; and, hearing him relate what hee had in his instructions, and that which was wrote vnto him from the Emperour, he answered, that the things considered by the Cardinals were very important, and that hee could not resolue on them so soone; that he would send a *Nuncio* to the Imperiall Maiestie of *Charles* the fifth, and, in the meane while, if he had commission from his Master to depart he might doe it, and protest what he thought fit. Therefore the Ambassador, hauing made his protestation, departed. And although *Charles* died the same yeere the 21. of September, yet it was impossible to remooue the Pope from his resolution.

Who, hauing made a protestation, departeth from *Rome*.

The number of those who call themselues Reformed being now increased in *France*, their courage did increase also; and there being a custome amongst the people of *Paris*, in the Summers euenings, to goe out of the Suburbes of S. *German* in great multitudes, to take the *fresco*, and to solace themselues with diuers kindes of sports, those of the new Religion, in stead of doing so, began to sing the Psalmes of *Dauid*, in French verses. The multitude first laughed at the nouitie, then, leauing the sports, ioyned themselues vnto the singers. And the number of those who came to that place began to increase more then vsually. The Popes *Nuncio* tolde the King of this nouitie, as of a thing pernicious and dangerous, because the ministeries of religion, vsually celebrated in the Church, in the Latin tongue, by religious men only, were put into the mouth of the common people, in the vulgar language, which was an inuention of the Lutherans; telling him that, if he did not resist the beginnings, in a short time all *Paris* would be Lutheran. The King gaue order that the principall authors should be proceeded against; wherein they went not very farre, hauing found *Antonie*, King of *Nauar*, and his wife, in that number: But for hereafter it was forbid vpon paine of death.

The

The Religion in *England* was also much changed this yeere. The Queene died the seuenteenth day of Nouember, and Cardinall *Poole* the same day; which stirred vp many, who were not satisfied with the former gouernement, to restore the reformation of *Edward*, and to separate themselues wholly from the Spaniards: which they did the rather, because King *Philip*, to hold a foote in *England*, had treated to marrie *Elizabeth*, sister and successor of *Mary*, to *Charles* his sonne: and when there was little hope of the life of *Mary*, hee had also cast foorth diuers words, that hee would take her for his owne wife. But the new Queene being wise, as shee shewed her selfe to bee in all her gouernement, did first secure the Kingdom by oath, that she would not marrie a stranger, and was crowned by the Bishop of *Carlile*, an adherent to the Church of *Rome*, not making any open declaration what doctrine shee would follow, disseigning, so soone as shee was setled in her gouernement, to establish it, by the counsell of the Parliament, and of learned and godly men, and to make a constant reformation of the state of Religion. Therefore shee exhorted the chiefe of the Nobilitie, who desired a change, to proceed without tumult, assuring them that she would not enforce any. Shee caused presently an account to bee giuen to the Pope of her assumption, with letters of credence written to *Edward Cerne*, who was Ambassadour to her sister, and was not departed from *Rome*. But the Pope, proceeding according to his vsuall rigor, answered, that that Kingdome was held in *Fee* of the Apostolike Sea; that shee could not succeed being illegitimate; that hee could not contradict the declarations of *Clement* the seuenth, and *Paul* the third, that it was a great boldnesse to assume the name and gouernement without him; that, for this, shee deserued not to bee heard in any thing; yet, being desirous to shew a fatherly affection, if shee will renounce her pretensions, and referre her selfe wholly to his free disposition, hee will doe whatsoeuer may bee done with the honour of the Apostolike Sea. Many did beleeue that as he spake thus by his own inclination, so he was incited by the French King, who fearing a marriage betweene her and the King of *Spaine* might bee made by the Popes dispensation, thought fit to assure himselfe by cutting off the practises in the very beginning. But the new Queene vnderstanding the Popes answere, and wondering at the mans hasty disposition, thought it not profitable, either for her, or the Kingdome, to treate any more with him. So that the cause ceasing, shee gaue the Nobilitie leaue to consult what was fit to bee done for the seruice of God, and quiet of the Kingdome. A disputation was held in *Westminster*, in presence of all the States, betweene learned men, chosen on both sides, which began the last of March, and lasted vntill the thirtieth of April; and, a Parliament being assembled to this end, all the Edicts of Religion made by *Mary* were abolished, those of her brother *Edward* restored, obedience taken away from the Pope, the title of the head of the Church of *England* giuen to the Queene, the reuenues of the Monasteries confiscated, and assigned some to the Nobilitie, and some to the Crowne, the Images taken out of the Churches by the people, and the Romane Religion banished. Another accident happened also. For in the Diet of *Ausburg* it appearing, by the actes of the *Colloquie* the yeere before, dissoluted without fruit, that there was no hope

1558

PAVL 4. FERDINAND.

PHILIP 2. ELIZABETH. HENRY 2.

Mary Queen of *England* dieth. And *Elizabeth* is crowned.

With whom the Pope doth presently contest.

A disputation is held in *Westminster* in matter of religion.

1558
Pavl 4.
Ferdinand.
Philip 2.
Elizabeth.
Henry 2.

to doe any good by that meanes, *Ferdinand* tolde them hee would procure the generall Councell to be restored, exhorting all to submit themselues to the Decrees thereof, as beeing the way to remooue differences. The Protestants answered, that they would consent to a Councell, called, not by the Pope, but by the Emperour, to bee held in *Germanie*, in which the Pope should not preside, but should submit himselfe to the iudgement thereof, and release the Bishops and Diuines of their oath; in which also the Protestants should haue a deciding voyce, and all should bee determined according to the holy Scripture, and whatsoeuer was concluded in *Trent*, should be reexamined: which, if it cannot be obtained of the Pope, yet the peace of Religion should be confirmed, according to the agreement of *Passau*, hauing knowen, by too manifest experiẽce, that no good can be drawen frõ any Popish Councel. The Emperour knowing the difficultie to obtaine of the Pope a grant of the things proposed, and that now hee had no meanes to negotiate with him, in regard of the controuersie about the resignation of *Charles*, and his succession, hee confirmed the accord of *Passau*, and the *Recesses* of the Diets following.

Ferdinand promiseth to procure a generall Councell.

And confirmeth the accord of *Passau*.

The Pope hauing cut off all meanes to treate with the Emperour and *Germanie*, knew not what to say to this. Yet hee was more displeased with their discourse concerning the Councell, then with the libertie granted by the *Recesse*, beeing resolute not to call any Councell but in *Rome*, whatsoeuer should happen. In this respect another accident was as grieuous as the former; that is, the peace made at *Cambray* the third of Aprill, betweene the Kings of *France* and *Spaine*, which was well confirmed by the mariages of the daughter of *Henry* to the King of *Spaine*, and of his sister to the Duke of *Sauoy*. In which peace, amongst other capitulations, it was agreed, that both the Kings should make a faithfull promise to labour ioyntly that the Councell should bee celebrated, the Church reformed, and the differences of religion composed. The Pope considered how goodly a shew the title of reformation, and the name of a Councell did make; that *England* was lost, and all *Germany* also, partly by the Protestants, and partly by his difference with *Ferdinand*; that these two vnited Kings were much offended by him, the Spaniard by deeds and words, the French by words at the least, there remaining none to whom he might haue refuge; that the Cardinals were weary of his gouernment, and his people not well affected, in regard of the incommodities of the warre, and the taxes layd vpon them. These cogitations did so afflict the olde Pope, that hee was vnfit to rule. Hee could not hold the Consistories so often as hee was wont, and when hee did holde them hee spent the most part of the time in speaking of the *Inquisition*, and exhorting the Cardinals to fauour it, as beeing the onely way to extinguish heresies.

Wherwith the Pope is much displeased.

But more with the capitulations of ỹ peace of *Cambray*.

So that hee became vnfit to rule.

But the two Kings did not agree to procure the Councell for any ill will, or interests, which either of them had against the Pope, or Papacie, but to prouide against the new doctrines, which did exceedingly increase, being willingly heard and receiued by all men of conscience: and, which was of more importance, the mal-contented, and those who were desirous of innouations, put themselues on that side, and did dayly, vnder pretence of religion,

The progresse of the reformed religion, and ỹ meanes vsed to suppresse it.

make

make some enterprises, as well in the *Low Countries*, as in *France*, in regard those people did loue their liberty, and had commerce with *Germany*, as bordering vpon it. In the beginning of the troubles some seedes were sowed, which that they might not take roote, the Emperour *Charles* the fifth, in the *Low Countries*, and the French King, in his Kingdome, made many Edicts, and commanded diuers executions, whereof wee haue spoken in their due places. But after that the number of the Protestants did increase in *Germanie*, and the Euangeliques did multiply amongst the Suisses, and the separation was made in *England*, by reason of the often wars betweene the Emperor and French King, either party was forced to call Auxiliaries out of these three Nations, who publikely professing and preaching the Reformed religion in their quarters, by their example, and by other meanes, diuers of the people became of their opinion. It is certaine, that this compelled *Charles* the Emperour, to attempt the bringing in of the Spanish *Inquisition*, seeing that other remedies did not preuaile, though hee was partly forced to desist, for the causes before related. And *Henry* the French King gaue the Bishops authority to punish heretiques, a thing neuer vsed before in that Kingdome. And although in the *Low Countries*, from the first Edict of *Charles*, vntill this time of the peace, there were hanged, beheaded, buried aliue, and burned, to the number of fifty thousand, and very many put to death in *France*, yet both places were then in worse case then euer. This made the Kings to thinke ioyntly of finding a remedy, by the great perswasion of the Cardinall of *Loraine* for the French, and of *Granuel* Bishop of *Arras* for the Spaniards; who beeing in *Cambray*, from October vntill Aprill, with other Deputies of the two Kings, to treat a peace, did conferre particularly amongst themselues, how that doctrine might bee rooted out; and were afterwards the chiefe instruments of whatsoeuer did happen in both States. The cause they alledged to bee the zeale of religion, and the seruice of their Princes: but it was vniuersally beleeued, that it was rather ambition, and a deseigne to enrich themselues by the spoyles of those who were to be condemned.

1558

Pavl 4. Ferdinand.

Philip 2. Elizabeth. Henry 2.

In the Low Countries 50000. were executed for religion in a short time, and very many in *France*.

Whereof the Cardinall of *Loraine* and *Granuel*, Bishop of *Arras* were causes.

The peace beeing made, the King of *Spaine*, to beginne to giue some order, not being able to bring in the *Inquisition* openly, thought to doe it obliquely, by the Bishops. But there beeing but two Bishoprickes in the Low Countries, *Cambray*, and *Vtrecht*, and the residue of the Clergie subiect to the Bishops of *Germany*, and *France*, and those tow Bishoprickes also subiect to forraigne Arch-bishops, to whom appeales could not be denied, so that he could not worke his will by meanes of them, hee thought fit to free all that Clergie from the subiection of Bishops, who were not his subiects, and to institute three Arch-bishoprickes in those Countries, *Meclin*, *Cambray*, and *Vtrecht*, and to erect into Bishoprickes *Anwerp*, *Balducke*, *Gant*, *Bridges*, *Ipre*, S. *Omar*, *Namur*, *Harlem*, *Middleburgh*, *Lewarden*, *Groninghe*, *Ruremond*, and *Dauenter*; annexing vnto them, for reuenewes, some rich Abbies. He caused the Pope to approoue all this by his Bul, dated the ninth of May, the same yeere. The pretence for doing of this was, that formerly those Countries, beeing not much inhabited, did not neede a greater number of Bishops, but now the multitude of people, and dignity of the Cities did require they should bee honoured with Ecclesiasticall titles. Yet the Nobility and Comminalty did

The King of *Spaine* erecteth Bishoprickes in the Low Countries, that hee might more easily bring in the *Inquisition*.

1558
Pavl 4.
Ferdinand.
Philip 2.
Elizabeth.
Henry 2.

imagine it was an art to bring in the *Inquisition*; in which opinion they were confirmed when they saw the Popes Bull. For, according to the vse of *Rome*, to enlarge their power or profit in euery bargaine, he alledged, for a cause of that new institution, that that Countrey was compassed, and, as it were, besieged by Schismatiques, who did not obey him, the Head of the Church, so that the true faith was in great danger by the frauds and insidiations of the Heretiques, if new and good Gardians were not placed ouer them. This occurrence made the Nobilitie to adhere together, and to thinke how to make resistance before there was meanes to compell them by force of armes. They resolued therefore not to pay tribute, vntill the Spanish Souldiers were remooued out of the Countrey, and began to incline more to the new opinion, and to fauour it: which caused the other troubles which shall be spoken of.

Which maketh the Nobility to combine and refuse to pay tribute.

The French King entreth into the Mercuriall.

But the French King, desirous to make prouision that the Lutheran sect should not more encrease in the Kingdome, vnderstanding that some of the Counsellors of the Parlament were infected with it, in a Mercuriall (so they call the iudicature, instituted to examine and correct the actions of the Counsellors of Parlament, and Iudges of the King) held in *Paris* the 15. of Iune, where they were to treat of religion, after the Congregation was assembled, entred in person. He said hee had established peace in the whole world, by the mariages of his sister and daughter, that hee might prouide against the inconueniences bred in his Kingdome about religion, which ought to be the principall care of Princes. Therefore vnderstanding they were to treat of this subiect, hee exhorted them to handle Gods cause with sincerity. And hauing commanded them to prosecute the things begunne, *Claude Viole*, one of them, spake much against the manners of the Court of *Rome*, and the bad customes, growne to bee pernicious errours, which haue caused the new sects. Therefore it was necessary to mitigate the seuere punishments, vntill the differences of religion were remooued, and the Ecclesiasticall discipline amended by authority of a Generall Councel, the onely remedy for these euilles, as the Councels of *Constance* and *Basil* haue iudged, commanding that one should bee celebrated euery ten yeeres. His opinion was followed by *Ludouicus Faber*, and some others. *Anne du Bourg* did adde, that many villanies were committed, condemned by the lawes, for punishment whereof the rope and fire were not sufficient; as frequent blasphemies against God, periuries, adulteries, not onely secret, but euen cherished with impudent licence; making himselfe to be plainely vnderstood, that hee spake not onely of the Grandies of the Court, but of the King himselfe also; adding that, while men liued thus dissolutely, diuers torments were prepared against those who were guilty of nothing, but of publishing to the world the vices of the Church of *Rome*, and desiring an amendment of them. In opposition of all this, *Egidius Magister*, the prime President spake against the new sects, concluding that there was no other remedy, but that which was formerly vsed against the *Albigenses*, of whom *Philippus Augustus* put to death sixe hundred in one day, and against the *Waldenses*, who were choked in the caues, whither they retired to hide themselues. When all the voyces were giuen, the King said, he had now heard with his owne eares, that which

before

before was told him, that the contagion of the Kingdome doth hence arise, that there are in the Parlament who doe despise the Popes authority, and his; that he well knoweth they are but few, but the cause of many euils. Therefore hee exhorted those who are good subiects to continue in doing their duty, and immediately gaue order that *Faber* & *du Bourg* should be imprisoned, and afterward caused foure more to bee apprehended in their houses: which did much daunt those who embraced the new religion. For the Counsellors of Parlament in *France*, beeing reputed most sacred, and inuiolable, who notwithstanding were put into prison for deliuering their opinion in publike Assembly, they concluded that the King would pardon none.

1559
PAVL 4.
FERDINAND.
PHILIP 2.
ELIZABETH.
HENRY 2.

And cõmandeth some of the Counsellors of Parlament to be imprisoned.

But examples of great feares are alwaies ioyned with others of equall boldnesse. For at the same time, as if there had beene no danger at all, the ministers of the Reformed (for so the Protestants are called in *France*) assembled in *Paris* in the suburbs of Saint *German*, made a Synode, in which *Franciscus Morellus*, the chiefe man amongst them, was President, ordaining diuers constitutions, of the manner of holding Councels, of remooving the domination in the Church, of the election and office of Ministers, of censures, of marriages, of diuorces, of degrees of consanguinitie, and affinitie, that throughout all *France* they might not onely haue an vniforme faith, but discipline also. And their courage did increase, because the fame of the seuerity vsed in *France* comming into *Germanie*, the three Electors, and other Protestant Princes sent Ambassadours to the King, praying him to proceede with pietie and Christian charitie against the professors of their Religion, guiltie of nothing but of accusing the corrupted manners, and the discipline peruerted by the Church of *Rome*, which had beene done more then an hundred yeeres since by other godly Doctors of *France*. For that kingdome beeing now in quiet, the differences of Religion may easily bee composed, by the disputation of able men, desirous of peace, who may examine their confession by the rule of holy Scripture, and of the auncient Fathers, suspending in the meane time the seueritie of the sentences; which they will receiue as a thing most gratefull, and remaine much obliged to him for it. The King gaue a courteous answere in generall words, promising to giue them satisfaction, and to send one expressly to signifie so much vnto them. Yet he remitted nothing of the seueritie, but, after the Ambassadours were parted, hee deputed foure Iudges, of the body of the Parliament, in the causes of the prisoners, with the Bishop of *Paris*, and the *Inquisitor*, *Antonie de Mocares*, commaunding them to proceede with all expedition.

1559
The Reformatists hold a Synod in *Paris*.

And are encouraged by the intercession of the Protestant Princes of *Germany*.

Which did them no good

The Pope, vnto whom all these things were knowen, as hee was much discontented with the progresse of the new doctrine in the States of both the Kings, so hee was pleased that those Princes did thinke of it, and mooued them, by his *Nuncij*, and by their Ambassadours residing with him, to do so still. But he would not haue any other meanes then that of the *Inquisition*, which he thought the onely remedy, as he said vpon all occasions, iudging that the Councell would doe as formerly it had done, that is, reduce all into a worse state. While he was possessed with these cogitations, and weake of body, the King of *France* died the second of Iuly, by a wound in the eye, running

1559
PAVL 4.
FERDINAND.
ELIZABETH.
FRANCIS 2.

running at *Tilt*; for which he seemed very sorrowfull, and was so indeede. For although hee suspected, and with reason, the intelligence betweene the two Kings, yet he had still hope to separate them. But the one being dead, he saw he was at the discretion of the other alone, whom he more feared, because he was more offended by him, and was of a more close nature, hard to be sounded. He feared also that in France a gate would be set wide open to let in sectes, which might be confirmed before the new King could get so much wisedome and reputation, as was necessary to oppose so great difficulties. Hee liued some few dayes, afflicted with these cogitations; but now laying aside all hopes, which had vntill then kept him aliue, he died the eighteenth of August, recommending to the Cardinals nothing but the office of the *Inquisition*, the onely meanes, as he said, to preserue the Church, exhorting all to employ all their endeauours, to establish it in *Italy*, and wheresoeuer else they could.

Henry the second dyeth, the second of Iuly.

The Pope dieth the 18. of August, recommending to the Cardinals nothing but the office of the *Inquisition*.

The Pope being newly dead, or rather still breathing, there did arise, by reason of the great hatred conceiued by the people against him, and his whole house, such tumults in *Rome*, that the Cardinals were more troubled with these, as being neere and vrgent, then with those that were common to all Christendome. The Citie was all in sedition; the head of the Popes *statua* was beaten off, and drawen through the streetes; the prisons broken open, and more then foure hundred prisoners set at libertie: and going to *Ripetax*, where the *Inquisition* was, they did not onely take out the imprisoned, but burnt the place, and all the processes and writings kept there; and they had almost burned the *Conuent* of *Minerua*, where the Fryars, imployed in that office, do dwell. The Colledge of Cardinals had recalled *Caraffa* in the life time of the Pope, and, in the first congregation which they held after his death, they deliuered the Cardinall *Morone* out of the Castle, who was ready to be sentenced for an Heretique. A great question was made, whether he could haue a voyce in the election, being opposed by those who thought him their aduersary. But at the last it was resolued on his side. The Cardinals were forced to consent, that all the moueable armes and monuments of the house of *Caraffa* should be torne in pieces, and the immoueable demolished.

The people shew their detestation of him.

Card. *Morone* was set at libertie who was ready to be sentenced for an heretique.

Being assembled in the *Conclaue* the fift of September, eight dayes after the iust time, because they were hindred by those inconueniences, they made capitulations, which, according to custome, were sworne to by all; that they might giue some order for the gouernment, which was wholy confused by the too great seueritie of *Paul*. Two of them did belong to the matter whereof we treat; one, that the difference with the Emperour, which might hazard the losse of all the residue of *Germanie*, should bee composed, and he acknowledged for Emperour; the other, that for the necessitie of *France* and *Flanders*, the Councell, as the onely remedy against hereses, should be restored. The Papacie was vacant longer then the necessitie of the time did comport, not so much for the discords of the Cardinals, as for the interests of Princes, who did interpose more then they were wont. While they were locked vp in the *Conclaue*, King *Philip* going from the *Low Countries* into *Spaine* by sea, with resolution neuer to remoue thence, fell into a storme,

Capitulations sworne vnto by the Cardinals in the *Conclaue*.

1559

PIVS 4.
FERDINAND.
ELIZABETH.
FRANCIS 2.

storme, in which almost all the fleete was wracked, his houshold stuffe, of very great valew, lost, and himselfe hardly escaped. Hee said he was deliuered, by the singular prouidence of GOD, to roote out Lutheranisme, which hee presently began to doe. For the 24. of September, so soone as hee was arriued in *Seuil*, to giue an example in the beginning of his gouernment, and to leaue no hope to any, he caused *Iohannes Pontius* Count of *Bayleno*, together with a Preacher, and many others of the Colledge of S. *Isidore*, where the new Religion was entred, to be burned for Lutherans; as also some Noble women, to the number of thirteene, and last of all the *statue* of *Constantinus Pontius*, Confessour to *Charles* the fifth, who serued him in his retired life, and held him in his armes when hee dyed. This man dyed in prison, a few dayes before, where he was put immediatly after the Emperours death, for imputation of heresie: which execution, though against an vnsensible *statue*, increased the feare, because euery one concluded that no conniuency nor mercy could be hoped for from the King, who bare no respect to him, whose infamie did dishonour the memory of the Emperour deceased. Afterwards he went to *Validolid*, where he caused twenty eight of the prime Nobility of the Countrey, to be burned in his presence, and kept Fryar *Bartholomew Carranza* in prison, mentioned often in the first reduction of the Councell of *Trent*, who was Arch-bishop of *Toledo*, chiefe Prelat of *Spaine*, taking from him all the reuenewes. And it cannot be denied that these executions, with others which daily succeeded, though not so exemplarie, kept those Countries in quiet, while all other places were full of sedition. For although the new opinions were sowed in the minds of many, especially of the Nobilitie, yet they were concealed within their hearts, in regard of the close nature of the Spaniards, who abhorre dangers, neuer aduenturing vpon hard enterprises, but ayming to proceed securely.

King *Philip* is in great peril at sea. Who, at his arriuall in *Spaine*, vseth great seueritie against the Lutherans.

The Kings death in France, which the reformed did ascribe to miracle, increased their courage, though they durst not shew themselues openly in *Paris*. For his sonne *Francis*, the new King, after he was consecrated at *Rhemes*, the twentieth of September, gaue order to prosecute the processe of the Counsellors, who were in prison, and deputed the President of S. *Andreas*, and the *Inquisitor Antonius de Mocares*, to discouer the Lutherans. The Iudges, hauing gained some of the common sort, formerly professors of that religion, had notice of the places where they did secretly assemble. Therefore many, both men and women, were imprisoned, and many fled, whose goods were confiscated, after a citation by three Edicts. And by the example of *Paris*, the same was done in *Poyton*, *Tholouse*, and *Aix* of *Prouence*, by the instigation of *George* Cardinall of *Armignac*, who, not to abandon that enterprise, would not goe to *Rome* to the election of the Pope, vsing all diligence that those who were discouered might be apprehended. The professors of that Religion being stirred vp hereby, and emboldened, because they knew they were many, sent about many writings, against the King and Queene, and those of *Loraine* (by whom the King was gouerned) authours of the persecution, intermixing some points of doctrine, which being willingly read by all, as things composed by publique libertie, did imprint the new religion in the minds of many.

The young French king imitateth the seueritie of his father.

In

1559
Pius 4.
Ferdinand.
Elizabeth.
Francis 2.

In the end of the processe against the Counsellers, after a long contestation, all were absolued, except *Anne du Bourg*, who was burnt the eighteenth of December, not so much by the inclination of the Iudges, as by the resolution of the Queene, prouoked against him, because the Lutherans did diuulge in many writings, and libels spread abroad, that the King had beene wounded in the eye by the prouidence of God, for a punishment of his words, vsed against *du Bourg*, that he would see him burnt. But the death and constancie of a man so conspicuous, did make many curious to know what religion that was, for which hee had so couragiously endured punishment, and made the number increase: which augmenting also euery day for other causes, those who were interessed in their ouerthrow, either for loue of the olde Religion, or as Ecclesiastiques, and authours of the former persecutions, thought it necessary to discouer them, before they were so many as that they could not be suppressed. To this end they caused the pictures of the blessed Virgine, and of Saints to be placed in euery corner throughout all *France*, and especially in *Paris*, burning candles before them, making the porters, and other vulgar persons sing the vsuall prayers of the Church, and appointing men to stand there, with little boxes, to aske almes for the buying of candles: and he that did not honour the Images in passing by, or did not stand with reuerence at those corners, or did not giue the almes that were asked, were helde suspected, and the least euill that did befall them, was to be abused by the people, with boxes and spurnings: But many of them were imprisoned, and put in suite. This prouoked the Reformatists, and caused the great conspiracie of *Geffrey Renaut*, of whom we will speake hereafter.

Anne Borget is burned.

Whose constancie giueth an encrease to the reformed Religion.

Meanes vsed in *France* to discouer the Reformatists.

In *Rome*, after diuers contentions and practises to create Pope the Cardinals of *Mantua*, *Ferrara*, *Carpi*, and *Putea*, finally the 24. of December at night, *Iohn Angelo* Cardinall of *Medicis* was created, and named himselfe *Pius* 4. who hauing appeased the tumults of the City, and secured the minds of all by a generall pardon of whatsoeuer was committed in time of their sedition, applied himselfe suddenly to the execution of two capitulations, which hee had sworne, concerning the most common affaires: and the thirtieth of the same moneth calling together 13. Cardinals, and consulting with them about the reiection of the Ambassage of *Ferdinand*, and the determination of *Paul* not to acknowledge him for Emperour, the common opinion was, that he had receiued wrong. But after a long consultation how to remedie this inconuenience, many things being proposed and discussed, but no meanes found how to treat without danger of greater incounters, in case the *Electors* should interpose (as it was impossible to forbid them) the common opinion was, that they were to auoide all negotiation, because it would conclude with the dishonour of the Pope, and that it was better not to expect any request to be made from the Emperour. This was approoued by the Pope, who thought it wisedome to giue that, which he could neither keepe nor sell. He therefore presently called for *Franciscus della Torre*, the Emperours Minister in *Rome*, and told him, that he approoued the resignation of *Charles*, and succession of *Ferdinand* to the Empire, promising to write vnto him with the vsuall titles, and bade him send aduise hereof.

Iohn Angelo, Card. of *Medici*, is created Pope.

He approoueth the resignation of *Charles*, & the succession of *Ferdinand*.

After this, he thought seriously of the Councell, being assured hee should

be

be importuned for it from diuers parts. Conferring with the Cardinall *Morone*, whom he truſted for his wiſedome and friendſhip, hee much doubted, as himſelfe ſaid, whether the Councel were good for the Apoſtolique Sea, or not; and if not, whether it were better to denie it abſolutely, and freely oppoſe whoſoeuer ſhould deſire it, or to make ſhew hee was willing, and to croſſe it with ſome impediments, beſides thoſe which the buſineſſe it ſelfe would bring; and if it were fit to celebrate it, whether it were better to expect vntill he were requeſted, or to preuent and require it himſelfe. He called to minde the cauſes why *Paul* the 3. did diſſolue it vnder colour of tranſlation, and the hazards which *Iulius* did runne, if good fortune had not aſſiſted; that now there was no Emperour *Charles* to be feared, and that the weaker the Princes are, the BB. are the more bolde, who were the more to be looked vnto, becauſe they cannot aduance themſelues but vpon the ruines of the Papacie. To oppoſe openly the demaund of the Councel was ſcandalous, in regard of the glorious name thereof, and of the vaine opinion which the world hath, that it muſt needs be profitable; as alſo becauſe euery one is perſuaded, that the Councel is refuſed for feare of reformation; vvhich maketh the refuſall a greater ſcandall. And if neceſſitie ſhall enforce to grant that vvhich hath beene abſolutely denyed, it will be a totall loſſe of reputation, and incite the vvorld to debaſe him vvho hath oppoſed. In theſe ambiguities the Pope vvas aſſured that the Councel could not be profitable for the Church, nor for the Kingdomes diuided, and muſt neceſſarily endanger the Papal authoritie; yet he could not openly oppoſe it, becauſe the world was vncapable of this trueth. But he was vncertaine, whether, in caſe the Kings or Kingdomes did require it, the coiunctures of the future affaires might be ſuch, as that the ſecret impediments might take effect. When hee had thought of all, he concluded to ſhew himſelfe ready, yea deſirous, and to preuent the deſires of others, that he might conceale himſelfe the better in croſſing them, and haue more credit in repreſenting the contrary difficulties, referring to the ſuperiour cauſes that deliberation, to which humane iudgement could not reach. So much he reſolued of, and no more.

1559
PIVS 4.
FERDINAND.
ELIZABETH.
FRANCIS 2.
And conſulteth about the Councel.

The coronation was made at the Epiphany; and the eleuenth of the ſame moneth he helde a frequent congregation of Cardinals, in vvhich he declared his minde at large, that hee vvould reforme the Court, and call a generall Councell, charging them all to conſider what things deſerued reformation, and of the place, time, and other preparations of the Synod, that it might not bring foorth the ſame fruit that it had done twice before. And afterwards hee ſpake of this in his priuate diſcourſes with the Cardinals and Ambaſſadours, vpon all occaſions; yet did nothing which might manifeſt his intention more plainely.

Newes came to the Emperour at *Vienna* of what the Pope had intimated to his Miniſter, who immediatly deputed an Ambaſſadour, and, before his departure, wrote to the Pope, to giue him ioy of his aſſumption, and thankes that hee had wiſely, and like a father, ended the difficultie, which *Paulus* 4. had, againſt reaſon and equitie, ſet on foote, giuing him an account of the Ambaſſadour which hee had appointed to come vnto him. This was *Scipio*, Count of *Arco*, who came to *Rome* the tenth of February, and

The Emperour ſendeth an Ambaſſadour to *Rome*.

fell

1559
Pivs 4.
Ferdinand.
Elizabeth.
Francis 2.

fell into a great difficulty in the very beginning. For the Emperour gaue him commission to render to the Pope reuerence onely, and the Pope was resolute hee should render him obedience, shewing that the Ambassadours of other Emperors had done so to his predecessors; and said plainly, that, otherwise, he would not admit him. The Ambassadour of *Spaine*, and the Cardinall *Pacceco* aduised him not to transgresse his commission, but the Cardinals *Morone* and *Trent* perswaded the contrary; whose opinion he followed, because the Emperour had giuen him charge to consult with those two Cardinals in all matters. After the ceremony was ended in the Consistory, with satisfaction of the Pope, the Ambassadour, being to pray him in the first priuate audience, in *Cæsars* name, to call the Councell, to compose the dissentions of *Germanie*, was preuented by him, with the Ambassadours great contentment; who beleeuing that he was to treat with the Pope, about an vnpleasing businesse, was prepared to deliuer it in sugered termes, that it might be heard more willingly. The Pope told him, that the Cardinals, being in the Conclaue, consulted how they might set the Councell on foote againe, in which consultation himselfe was a very principall party; and now being Pope, was more confirmed in the same determination. Yet he would not proceede blindely, but so as that hee might auoid the difficulties which happened before, and, would bee sure of the necessary preparatories, that the desired fruit might succeede. Hee sayd the like to the Ambassadonrs of *France* and *Spaine*, and wrote to his *Nuncij* to impart it to their Kings: hee spake of it also with the Ambassadours of the King of *Portugal*, and of the Princes of *Italie*, which were in *Rome*.

Who, after some contestation, rendreth obedience to the Pope, not reuerence only.

And is well pleased that his Holinesse beginneth to speake of the Councell.

The Duke of *Sauoy* demandeth the Popes leaue to holde a Colloquie.

After this the Duke of *Sauoy* sent one expresly to desire the Pope, that, by his fauour, he might make a *Colloquie* of religion, to instruct his people of the *Vallies*, who were generally alienated from the old religion. These were a part of the *Waldenses*, who, 400. yeeres since, forsooke the Church of *Rome*, and, in regard of the persecutions, fled into *Polonia*, *Germanie*, *Puglia*, *Prouence*, and some of them into the *Valleys* of *Mountsenis*, *Luserna*, *Angronia*, *Perosa*, and *S. Martin*. These hauing alwayes continued in their separation, with certaine ministers of their owne, whom they called Pastors, when the doctrine of *Zuinglius* was planted in *Geneua*, did presently vnite themselues with those, as agreeing with them in points of doctrine, and principall rites: and when *Piemont* was vnder the French-men, though they were forbid vpon paine of death to exercise their religion, yet, by little and little, they made it publique; so that when that Countrey was restored to the Duke of *Sauoy*, the exercise of it was almost free. The Duke resolued to make them receiue the Catholike religion; so that many were burned, and put to death by other meanes, and more condemned to the Galleys, at the instigation of the *Inquisitor Thomaso Iacomello*, a *Dominican Friar*. This made them consult whether it were lawfull to defend themselues with Armes; wherein their ministers did not agree. Some saide they might not oppose their Prince, though it were to defend their owne liues, but might carry away their goods, and retire into the mountaines. Others said they might vse force, in so desperate a case as this, especially it being not so much against the Prince, as against the Pope, who abused the authoritie of the Prince. Many of them

did

did follow the first opinion, and the others stood vpon their gard; so that the Duke, perceiuing they had not rebellious thoughts, and that they might easily be gained by instruction, receiued the counsell which was giuen him, to institute a *Colloquie* to this end. But because hee would not displease the Pope, by proceeding without his knowledge, he gaue him an account heereof, and asked his consent. The Pope being angrie that, in *Italie* also, euen vnder his nose, his authoritie should be questioned, answered that hee would consent by no meanes; but, if those people had neede of instruction, hee would send a Legate, with authoritie to absolue them who would bee conuerted, accompanied with Diuines who might giue them instruction. But hee said hee had little hope to conuert them, because the heretikes are obstinate, and whatsoeuer is done to exhort them to acknowledge their fault, they expound to bee a want of force to compell them. That it cannot bee remembred that any good was euer done by this moderation, but that experience hath taught, that the sooner iustice is vsed, and force of armes, when that other is not sufficient, so much the better the successe is. If hee would proceed thus, hee would send him assistance; but if he thought it not fit, all might bee deferred vntill a generall Councell, which he would suddenly call. The Duke did not like the sending of a Legat, because it would haue prouoked them more, and forced him to proceed according to the interests of others, thinking it better to take Armes, which the Pope commended more, and promised assistance. Therefore there was warre in these *Valleys* all this yeere, and part of the next, wherof we will speake in the time when it ended.

1559
PIVS 4.
FERDINAND.
ELIZABETH
FRANCIS 2.

To instruct the people of his *Valleys*, whom before he had persecuted.

But his Holines refuseth to grant it.

And therefore the Duke taketh Armes against them.

There was a great conspiracie in many parts of *France*; into which many were entred, and the maior part for cause of Religion, disdayning to see poore people drawen euery day to the stake to bee burned, guiltie of nothing but of zeale to worship God, and to saue their owne soules. To these were ioyned others, who, thinking the Guisards to be the cause of all the disorders of the Kingdome, iudged it an heroike acte to deliuer it from oppression, by taking the publike administration out of their hands. There were also ambitious persons, desirous of change, who could not worke their will, but in the middest of troubles. Both these couered themselues with the cloake of Religion, to gaine more followers: and the better to confirme their mindes caused the Principall Lawyers of *Germanie* and *France*, and the most famous Protestant Diuines to publish in writing, that, without violating the Maiestie of the King, and dignitie of the lawfull Magistrate, they might oppose with Armes, the violent domination of the house of *Guise*, who offended true Religion, and lawfull iustice, and kept the King as it were in prison. The Conspirators prepared a great multitude, who should appeare before the King, without Armes, to demand that the seueritie of the iudgements might be mitigated, and libertie of conscience granted, designing they should bee followed by Gentlemen, who should make supplication against the gouernement of the Guisards. The conspiracie was discouered, and the Court retired from *Blois*, an open place, fit for the execution of such a purpose, vnto *Amboise*, a strong Fortresse. This troubled the Conspirators; who, whilst they were thinking of a new course, some of them, who tooke Armes, were beaten and slaine, and others taken and sentenced to die; and to appease the

A great conspiracie in *France*, and the causes of it.

The Conspirators are discouered, and many of them executed, and the rest pardoned.

1559
Pivs 4.
Ferdinand.
Elizabeth.
Francis 2.

tumult, pardon was granted by the Kings Edict, dated the 18. of March, to all who, simply mooued with zeale of religion, had entred into the conspiracie, so that they disarmed within 24. houres. Afterwards the King, by his Edict, pardoned all the reformatists, vntill they returned to the Church. Hee forbade all assemblies for religion, and committed to the Bishops the hearing of the causes of heresie. This displeased the Chancellor; though he consented, for feare the Spanish *Inquisition* would bee brought in, as the Guisards desired.

The humors mooued were not quieted by the punishment of the Conspirators, and the pardons published, nor the hopes laid aside, which they had conceiued, to haue libertie of religion; yea greater tumults of the people were raysed in *Prouence*, *Languedoc*, and *Poitou*, whether the Preachers of *Geneua* were called, and came willingly: by whose Sermons the number of the Protestants did increase. This generall and sudden combination made the gouernours of the Kingdome resolue, that there was neede of an Ecclesiasticall remedie, and that very quickly; and a Nationall Synod was proposed by the whole Counsell. The Cardinall of *Armignac* said, that nothing was to be done without the Pope; that he alone was able to make prouision; that they should write to *Rome*, and expect an answere. To which opinion some few Prelats did adhere. But the Bishop of *Valence* said, that a sudden remedie could not be expected from the Pope, because he was farre distant, nor a fit one, because he was not informed of the particular necessitie of the Kingdome, nor a charitable one, because he was busied in making his Nephewes great; that God had giuen to all kingdomes all things necessarie to gouerne them; that *France* had Prelates of its owne to regulate the causes of religion, who better know the wants of the kingdome; that it would be a great absurditie to see *Paris* burne, hauing the riuers of *Some* and *Marne* full of water, and to beleeue that water must be brought from *Tiber*, to quench the fire. The resolution of the Counsell was, that, there being neede of a strong and sudden remedie, the Prelates of the Kingdome should assemble, to finde a way to hinder the course of these great mischiefes: and the 11. of April the Synod was intimated, for the 10. of September.

The Protestants doe increase by meanes of the Preachers of *Geneua*.

A Nationall Synod is intimated in *France*.

But that the Pope might not take it in ill part, a Currier was dispatched to *Rome*, to giue him an account of the resolution, and to informe him of the necessitie of that remedie, and to pray him not to take it amisse. The Ambassador represented to his Holinesse the infection of the kingdome, and the dangers, and the hope which the King had of some good remedie by a generall conuocation of the Prelates, without which hee saw no meanes to make an effectuall prouision. Therefore hee was forced not to deferre longer, nor to expect remedies from places remote, which were vncertaine, and long in comming, and to vse that which was in his owne power: and he added that no constitution of that Synod should bee of force before it were confirmed by his Holinesse. The Pope, on the contrarie, did grieuously complaine, that the King had pardoned the errours committed against religion, euen of those who did not aske it; wherein none had power but himselfe. And what King is there (hee saide) who thinketh hee is able to pardon offences against God? That it is no marueile if, by the iust wrath of God, there bee

The Pope blameth the French K. for pardoning heretikes.

bee so many tumults in that Kingdome, where the sacred Canons are disesteemed, and the Popes authority vsurped. He said that the assembling of the Prelats would doe no good, yea would cause a greater diuision; that hee had proposed a general Councel, which was the onely remedy; that the cause why it was not assembled already, proceeded from them who would not haue it; that hee was resolued to celebrate it, though it were desired by none, but would not by any meanes consent to the assembly of the Prelates, either in *France*, or elsewhere; that this was neuer tolerated by the Apostolique Sea; that if euery Prince should celebrate Councels of himselfe, a confusion and separation of the Church must needes follow. Hee complained much that the assembly was first intimated, and then his consent demanded; which he must needes thinke was done with small respect of the head of the Church, to whom all Ecclesiasticall affaires are to be referred, not to giue him an account when they are done, but to receiue from him authoritie to doe them; that the Edicts published did inferre an Apostasie in that Kingdom from the Sea of *Rome*; for remedie whereof hee would send an expresse *Nuncio*, to make his will knowen to the King.

1559
Pivs 4.
Ferdinand.
Elizabeth.
Erancis 2.

And will not approoue the Nationall Synod.

Hee sent the Bishop of *Viterbo*, with instruction, to shew him that a Nationall Councell of that Kingdome would bee a kinde of Schisme from the vniuersall Church, giue a bad example to other nations, and make his Prelates proud, assuming greater authoritie, with diminution of his owne; that it is generally knowen how earnestly they desire the restitution of the *Pragmatique*, which they would first of all bring in, by which meanes the King would lose his whole collation of the regalities, and the presentation of the Bishoprickes and Abbies: whence it would follow that the Prelates, not acknowledging the power of the King, would refuse to obey him. And yet, with all these inconueniences, the euils, which do now presse him, would not be prouided against. For the heretikes doe professe alreadie that they esteeme not the Prelates, so that whatsoeuer they should doe would bee opposed by the Protestant Ministers, if for no other cause, because it was done by them; that the true remedie was to make the Prelates, and other Curates reside, and keepe their flockes, opposing the furie of the woolues, and to proceed in iustice against those who are iudged to bee heretiques, by the iudges of faith, and where it cannot bee done in regard of the multitude, to vse force of armes, to compell all to the performance of their duetie, before the contagion doth increase; that all these things beeing done now, all differences might bee compleatly ended, by the celebration of the generall Councell, which hee would immediatly intimate; that, if the King would resolue to reduce the contumacious to obedience, before they did more increase in number and strength, hee promised to assist him with all his power, and to labour that the King of *Spaine*, and Princes of *Italie* should doe the like. But if hee would not bee perswaded to compell his Subiects by force, the *Nuncio* had instruction to propose vnto him, that all the mischiefe which troubleth *France*, and the poyson, which infecteth that Kingdome, and the neighbour places, commeth from *Geneua*; that the extirpation of that roote would take away a great nourishment of the euill; that making warre out of the Kingdome, hee should euacuate those bad humors, which did trouble it.

But sendeth a *Nuncio* into *Spaine* to dissuade it.

And to perswade y King to make warre against *Geneua*.

1559
Pivs 4.
Ferdinand.
Elizabeth.
Francis 2.

Therefore he was to exhott the King to ioyne with him in this good worke, promising that hee would induce the King of *Spaine*, and the Duke of *Sauoy*, to doe the like.

The Pope gaue the Bishop Commission also to negotiate the same thing with the Duke of *Sauoy*, as he passed. He wrote to the King of *Spaine*, and dealt with him by his *Nuncio*, that he would labour to diuert his cosin from the Nationall Councel, which would be hurtfull to *France*, and a bad example for *Spaine*, and worse for the Low Countreys. The Duke of *Sauoy* hearkened to the proposition of the warre of *Geneua*, promising to imploy himselfe wholly in it, so that those two Kings would bee content to assist him, and that the vvarre vvere to bee made by him and for him. For that Citie belonging to his Dominion, it vvas not iust, in case it vvere vvonne, that any should possesse it but himselfe. Therefore if his Holinesse vvould come to the effect, it vvas necessary to make a league vvith plaine capitulations, lest some great inconuenience might arise, if either the Kings should not agree, or himselfe should bee abandoned, after he had prouoked the *Suisses* against him, who would vndoubtedly defend the Citie.

For *Geneua*, the King of *Spaine* considered, that *France* would not permit it should bee in the handes of any but French-men; which was not good for his seruice, in regard of the vicinitie of the *Franche Countie*. Therefore hee answered that hee thought it not a fit time to make the attempt. But for the Nationall Councell of *France*, hee was perswaded it would bee a dangerous example to his States. Therefore hee dispatched away *Antonio di Toledo*, Prior of *Lions*, to signifie to the French King, that the celebration of that Councell would bee very hurtfull, in regard of the diuision which might arise, the Kingdome beeing infected. Hee prayed him not to goe on herein, and sayd, that nothing moued him to make this requeſt, but onely his loue to him, and his zeale to the glory of God. Hee left to his consideration, besides the contentions which it might cause within his Kingdome, the pernicious example which other Prouinces would take, and the preiudice it would bring to the generall Councell, which was to bee held, and was the onely remedie for all the euils and diuisions of Christendome; that it would shew there was not so good intelligence betweene the Emperour and them as should bee, and would make the Protestants waxe proud, in preiudice of the publique cause. Hee added, that hee wanted not force to represse the insolencies of his Subiects, and, if hee would make vse of the forces of him the King of *Spaine*, hee would very willingly employ them in this case, and his owne person also, if there were neede, that his Subiects might not boast they had brought him to any indignitie: whereof he was to consider much now, in this beginning of his reigne. He gaue commission also to his Ambassadour, that, if hee could not obtaine this, hee should, for the same and other reasons, negotiate a suspension of it, for as long a time as he could, and should treat with the Cardinall of *Lorayne*, who, as hee vnderstood, had a great hand in this Councell, that, as a Prince of the Church, and as hauing a great part in the gouernement of that Kingdome, hee was bound to consider the dammage which might redound to it, and all Christendome. He caused also the same requeſt to be made to the Duke of *Guise*, the Constable, the

The King of *Spaine* dissuadeth ỹ French King frõ the Nationall Synode.

Queene

1559
PIVS 4.
FERDINAND.
ELIZABETH.
FRANCIS 2.

Queene mother, and to the Marshall *Saint Andrew*. Hee gaue him commission also to aduise the Dutchesse of *Parma*, and *Vargas* his Ambassadour at *Rome*, of whatsoeuer hee did. Likewise hee gaue the Pope aduice of the earnest request he had made by one expressely sent, and of the neede that King had of assistance. To this he added the necessity in which himselfe was, the Turkes hauing taken from him the yeere before twenty Gallies, twenty fiue round Ships, and the fortresse of *Gerbe*: which forced him to encrease his Army. He therefore requested his Holinesse, to grant him a large subsidy of the Churches, and Benefices of his Kingdomes.

And demandeth of the Pope a subsidie from the Ecclesiastikes.

The proposition of assaulting *Geneua* was not well taken in *France*, because it would make the *Hugonots* (so the Reformatists are called) suspicious, and vnite themselues. Besides, none going to that warre but the Catholiques, the Kingdome would be left open to the opposites. And to prouoke the *Suisses*, protectors of that Citie, seemed not good, in regard of the seruice they might doe that Crowne. Therefore they answered the *Nuncio* only thus, that, while so great confusion did afflict the Kingdome within, it was impossible to apply themselues to matters abroad. But, for the Nationall Councel, the same answere was giuen to *Toledo* and the *Nuncio*, that the King was resolued to keepe himselfe and the Kingdome in the Catholique vnion; that hee would not make a Nationall Councel to separate himselfe, but to vnite to the Church those that went astray; that a Generall Councel would more please, and, in likelyhood, be more profitable, if his vrgent occasions would suffer him to expect the time, which must needs bee very long; that the Nationall Councel, which hee desireth, shall depend on the Apostolique Sea, and the Pope, which shall cease when the Generall shall be assembled, and shall incorporate with it. And that his deeds may answere to his words, hee desired the Pope to send a Legate into *France*, with power to assemble the Bishops of the Kingdome, and to settle the affaires of religion.

The French men are distasted with the proposition of assaulting *Geneua*.

The French Kings answere concerning the Nationall Synode.

The Pope cast forth the proposition to make warre against *Geneua*, not so much for the hatred he bare to that City, as the Seminary of the Zuinglian preachers in *France*, or for feare of some innouation in *Italy*, as to prolong the treaty of the Generall Councel. For if the warre had beene kindled, it would haue lasted a yeere at the least, and, in the meane while, the Councel would haue beene forgotten, or a good forme would haue beene found for it. But now, seeing that his proposition did not take effect, and that the French did still perseuere in their resolution for a Nationall Synode, hee thought it necessary not to deferre his determination for the generall, and to stop the French men with this, and with some grant of what they desired. Hee conferred hereof with the Cardinals which were most intimate with him, and particularly about the place; which seemed of most importance, because, in conclusion, the Councel doth produce effects according to the minde of him that is strongest in the place where it is celebrated. Hee would faine haue proposed *Bolonia*, or some other of his owne Cities, promising to goe thither in person, but saw it would bee ill construed by the world. He was resolued not to accept of any City beyond the Mountaines, no not to heare any proposition of it. The Cardinall *Pacceco* proposed *Mi-*

Maketh the Pope hasten the Generall Councel.

1559
PIVS 4.
FERDINAND.
ELIZABETH.
FRANCIS 2.

lan; and he condescended, so that hee might haue the Castle in his hands, during the time of the Councel; which was to referre himselfe to an impossible condition. He thought also vpon some of the Venetian Cities; but the Republique excused it selfe, lest they should make the Turkes suspicious, of whose forces they were then afraid. When he had considered all, hee found no fitter place then *Trent*. For the Councel hauing beene held there twise before, euery one had experience of what was good, and what bad in that place, and therefore would more easily consent to goe thither then elsewhere. And there was also some appearance of reason for it, because the Councel, celebrated by *Iulius*, was not finished, but suspended. Hee thought to satisfie the French men, by sending Cardinal *Tornon* into *France*, not in quality of a Legate, but with power, when hee was there and saw there neede, to assemble some of the Prelates of the Kingdome, such as the King and himselfe thought fit, but not all, that there might bee no appearance of a Councel, and to treat with these, but to resolue of nothing.

Who, after consultation, thinketh *Trent* y fittest place for the assembly.

And sendeth Card. *Tornon* into *France* to hinder a Nationall Synod there.

There were also two other accidents of no lesse consideration, which thrust the Pope forward to speake more plainely of a Councel; one farre off, but imported the losse of a Kingdome; the other concerned one person onely, but was of great consequence. The Nobility of *Scotland*, who had a long time made warre to chase the French men out of the Kingdome, and to take the gouernement out of the hands of the Queene Regent, and had euer incountred many difficulties, in regard of the great succours, sent her by her sonne in law the French King, to maintaine the Kingdome for his wife; finally, that they might quite free themselues, they resolued to ioyne with the English, and incite the people against the Regent. To this end they gaue way to liberty of religion, to which the people was inclined. By this meanes they brought the French men into great straits, and the old religion was little esteemed; for which the Pope was blamed, because the world thought, that, if the Councel had beene begunne, all popular commotions would haue beene stopped. The other accident was, that the King of *Bohemia* had, a long time, held intelligence with the Protestant Electors, and Princes of *Germany*, and was formerly suspected for it by *Paul* the fourth, so that hee could not refraine to obiect to the Emperour, in priuate discourse which he had with *Martin Gusman* his Ambassadour, that his sonne was a fauourer of heresie. The same suspicion continuing in the Court after the death of *Paul*, the Pope caused the Count of *Arco* to tell him, that if he would not liue as a Catholique, hee would not confirme him King of the Romanes, yea would depriue him of all dominion. Notwithstanding this, aduice came afterwards to *Rome*, that hee entertayned a Preacher, and heard him often, who had brought in the vse of the *Cup* in diuers places, but not in the City; and the King himselfe said, hee could not receiue it otherwise: which although he put not in practise, yet those words gaue the Pope great suspicion, especially because, almost in all places of *Germanie*, the Communion of the Chalice was vsed by all that would, and none hindred the Priests to minister it. For all these former respects the Pope was resolute to make this great iumpe.

Scotland reuolteth from the Pope.

Maximilian is, not without cause, thought to be a Protestant.

Which two accidents incite the Pope to call the Councel quickely.

The third of June he called the Ambassadors of the Emperour, of *Spaine*, *Portugal*,

Portugal, *Polonia*, *Venice*, and *Florence*; who appearing all before his Holinesse, except the Ambassadour of *Polonia*, that was sicke, hee complained first, that hee could not call the French Ambassadour for feare of some question of precedencie, which was a cause to hinder the publicke benefit of consulting on the common affaires of Christendome: but those two Kings being cousins, it was necessary they should resolue to accommodate the difference, for the good of the Christian Common-wealth, and especially of their owne Kingdomes. Then hee said that the cause why hee had called them was the celebration of the Councel, which hee was resolued to bring to effect, remooving all difficulties, which Princes, for their owne ends, might set on foot; that the place should be *Trent*, which hauing pleased twise, could now bee denied by none, in regard it was not a new place; and the Councel celebrated there onely suspended. Therefore taking away the suspension, the Councel is open, as before; and many good Constitutions hauing beene made there, it would not bee fit to call them in question, by making shew of calling a new Councel. He added that it was necessary to doe it quickly, because things grew worse euery day, as appeared in *France*, where they treated of a Nationall Councell; which hee neither would nor could endure, because *Germanie*, and euery Prouince would doe the like; that hee would giue order to his *Nuncij* with the Emperour, Kings of *France*, and *Spaine*, to treat hereof with their Maiesties, and did now intimate the same to all them, that they might send their Princes word of it. For although he could both resolue and execute of himselfe, yet he thought fit to doe it with their knowledge, that they might put him in mind of some things for the common benefit, and reformation of the Church, and send Ambassadours to the Councell, and fauour it by treating with the Protestants. He added, that he did beleeue that some of the Princes of *Germanie* would goe thither in person, and that he was sure the Marquesse of *Brandeburg* would.

1559
Pius 4.
Ferdinand.
Elizabeth.
France 2.

Wherein hee declareth his purpose to all the Ambassadors residing with him.

Vargas made a long answere, relating what had beene done in former Councels. He discoursed of the manner of celebrating Councels, and then descended to the place, and spake of what was done in *Trent*, where himselfe was present. He distinguished generall Councels from Nationall, much condemning that which was intimated in *France*. The Ambassadour of *Portugall* commended the Popes purpose, and promised the obedience of his Master. The *Venetian* said, that, in times past, neuer any better remedie was found then Councels, and thanked GOD for inspiring his Holinesse to do so pious a worke, which was for the preseruation of Religion, and benefit of Princes, who could not hold their States in peace in change of religion. The *Florentine* Ambassadour spake in the same manner, offering all assistance from the Duke. The Pope wrote to his *Nuncio* in *Germany*, *France*, and *Spaine*, in conformitie of that which he spake to the Ambassadours. Yet he neuer talked of the Councel, but hee cast forth some seed of a contrary herbe, which might hinder the birth of it, or choke it afterwards, being assured, that, when the affaires of the world did stand so, that the life of it might doe him seruice, he could roote out that which he had sowed vpon vice. Hee told the same Ambassadours apart, some more plainely, some in iest, that, to call the Councell with profit, it was necessary to thinke more of the end, then

But alwayes vttereth some thing y may crosse it.

bluoſl of

1559
Pivs 4.
Ferdinand.
Elizabeth.
Francis 2.

of the beginning, and of the execution, then of the Conuocation, and prosecution: that the Conuocation belonged to him alone, the prosecution to him and the Prelats, the execution to the Princes: and therefore that it was meet, that, first of all, they should binde themselues to it, and make a league, and elect a generall Captaine, to go against the disobedient, to execute the determinations of the Councell, considering that, without this, it would be fruitlesse, and dishonourable to the Apostolike Sea, and to those Princes who had sent Ambassadours, and afforded fauour and assistance.

The French King doth not thinke *Trent* a fit place for the Councell.

The Pope did not receiue a conformable answere from his *Nuncij*. The King of *Spaine* commended the Councell, approued the place of *Trent*, promised to send his Prelats to it, and to fauour it by all other meanes; but added, that it was not fit to doe any thing without the good will of the Emperour, and French King. The answere of this King was, that he approoued the celebration of the Councell, but not the place of *Trent*, alledging that his Prelats could not goe thither, and proposing, for places more fit, *Constance*, *Triers*, *Spire*, *Wormes*, or *Aganoa*. He intimated also, that they ought not to make a continuation of the things begun in *Trent*, but to abandon them quite, and make a whole new Councell. This answere troubled the Pope, who thought it did not proceede from the Kings owne motion, but from the *Hugonots*.

Nor that the doctrines, already discussed there, should be maintained without re-examination.

But the Emperour sent a long writing, in vvhich he said hee could promise nothing for the Princes of *Germanie*, before hee knew their opinion; which he could not do without a Diet: which if hee would call, it was necessary not to name the Councell, because the Princes would not goe thither, but pretending another cause to call it, he might afterwards speake of it by occasion. Hee added, that, for his patrimoniall States, hee had no hope to bring them to the Synode, without graunting them the Communion of the Cup, and marriage of Priests, and without a good reformation were made; but aboue all, that no mention ought to be made of a continuation of the things begun in *Trent*. For the Lutherans would neuer consent otherwise, yea the very name of *Trent* would make them refuse. And he proposed *Constance* or *Ratisbon*. The Pope saw that the proposition of a Diet did require the time of a yeare, and perhaps of two, and was glad of it, but was sory that the occurrences of *France* required hast. He told euery one, to shew his forwardnesse, that he cared not for one place more then another, and would take *Spire*, *Collen*, or any other Citie which pleased the Emperour, so that the Bishops might come and goe in safetie, it not being conuenient to secure those who haue no voice in the Councell, and leaue others without securitie who certainely haue. But it was not fit to speake of reuoking what was done in *Trent*, saying he would spend his blood in maintaining it, it being a matter of faith. Concerning that which is of humane constitution, as the Communion of the Cup, and marriage of Priests, these prohibitions being made for a good end, as hee would not take them away of himselfe, which he had power to do, so he would referre all to the Councell, howsoeuer hee saw they would neuer forsake their opinion whatsoeuer was graunted them. He complained of the Emperours weakenesse, who feared his owne sonne no lesse then others, and then desired the Prelats

Of whose opinion the Emperour is.

should

should be sent into *Germanie*, where he declared he had not power to secure them; that he would go to *Constantinople*, so that hee might haue securitie, which could not be expected from the Emperour; that the *Germans* were almost all heretiques, and the King of the *Romans* more potent then his father; that he regarded not one place more then another, so that it were in *Italy*, which onely is secure for the Catholiques. 1559 PIVS 4. FERDINAND. ELIZABETH. FRANCIS 2.

Therefore he answered the French King, and the Emperour, in generall termes, that he was content with any secure place, saying that the securitie of the Councels hath alwaies beene esteemed necessarie, and was now as much as euer; without making particular opposition against the places named by them. But, in his answere to the Catholique King, he commended his good mind, and confirmed him in his purpose; and, for the subsidie hee desired, hee interposed diuers difficulties, as well to maintaine the profits of the Church, as not to offend him, and make him his opposite, in the time of the Councell. The Popes answer to them both.

The affaires of the Catholiques waxed euery day more difficult. For the *Hugonots* in *France* grew stronger, and in *Scotland* libertie of Religion was granted to all by publique decree, and in *Flanders* the humors were prepared to stirre, vpon the first occasion; which the King did appease by proceeding slowly, graunting them what they would, though to his owne losse and indignitie. First, they refused to contribute to the King before the Spanish Souldiers were remooued out of the Countrey; when these were dismissed, they would giue pay to none but to the people of their owne Countrey, and onely for the guard of strong places, and those not to depend of the Kings Ministers. The King endured all, knowing that euery little distaste would make them set on foote the pretence of religion, and expected vntill the heat were extinguished; which he did the rather, because it was discouered that the seeds of the new opinions in *Spaine* were not dead, but onely couered for feare, and that in *Sauoy* there were more heretiques besides the old *Waldenses*. The Low-countrey men waxe peremptorie against their King.

But the Court of *Rome* was grieued most of all, that the Pope, hauing, by his nephew *Marcus Altemps*, who afterwards was Cardinall, persuaded the King of *Bohemia* to be a good Catholique, with many promises of honours and profits, intimating the succession of the Empire, which he would hardly obtaine in case he should doe otherwise, was answered by the King, that hee thanked his Holinesse, but that his soules health was more deare to him, then all the things of the world; which answere they said in *Rome*, was a Lutheran forme of speech, and signified an alienation from the obedience of that Sea; and they began to discourse what would happen after the Emperours death. While these accidents troubled the Popes minde, newes was brought him, that the Hugonots his Subiects in the territorie of *Auignion* were assembled, and disputed whether they might take armes against the Pope their temporall Lord, and resolued they might, because his succession was not lawfull, as well because that countrey was not iustly taken from *Raimondus*, Count of *Tholouse*, as also for that the Ecclesiastiques cannot, by the cómandement of Christ, possesse any temporal dominion: & resoluing to rebell, by the means of *Alexander Guilotimus*, a lawyer, put themselues vnder the protection of *Charles de Montbrun*, who was in armes for religion, and was The answere of *Maximilian* to the Popes nephew, concerning his religion. The Popes Subiects of *Auignion* rebel against him.

much

1560 Pivs 4. Ferdinand. Elizabeth. Francis 2.

much followed in *Dolphinie*. *Charles*, entring the territorie with three thousand foote, made himselfe Lord of the whole Countrey, with much ioy of the inhabitants. *Iames Maria*, Bishop of *Viuiers*, Vice-Legat of *Auignion*, made opposition, and very hardly kept the Citie. The Pope was much afflicted herewith, not so much for the losse of the countrey, as for the cause, which, being taken for an example, would touch the very root of the Papacie. Therfore he sent Cardinall *Farnese*, who was Legat, to defend the Citie. But the danger was moderated, because Cardinall *Tornon* (whose neece *Charles* had married) who was then not farre from that place, as hee was going to the Court, made him desist, and goe to *Geneua*, by promising restitution of his goods, confiscated for rebellion, and to be recalled shortly, with libertie of conscience, if he would goe out of *France*. So the Popes territorie, depriued of that protection, did remaine in subiection, but full of suspicions, and readie to embrace euery nouitie.

But all danger was taken away by means of Cardinall *Tornon*.

1560

The Protestants still increasing in France, and, which was of more importance, the dissentions and suspicions betweene the Grandies, the 21. of August 1560. the King called a very great assembly at *Fountainbleau*, in which hauing briefly exhorted, to set downe what was fit for his seruice, the necessities of the Kingdome were declared by the Chancellour, which he compared to a man sicke of an vnknowen disease. Afterwards *Iasper Colignie* gaue the king some petitions, which he said were deliuered to him, by a multitude of people, when he was in *Normandie*, vnto whom he could not denie this fauour, to present them to his Maiestie. The summe of them was; that the faithfull Christians, dispersed throughout the whole Kingdome, did pray his Maiesty to looke on them with a fauourable eye; that they desired nothing but a moderation of the cruell punishments, vntill their cause were heard; and that they might make publique profession of their religion, to auoid suspicion by priuate assemblies. Then *Iohn Monluc*, Bishop of *Valence*, hauing declared the infirmities of the Kingdome, and commended the chastising of the seditious, said that the cause of the euill remained, yea still grew worse, so long as religion might be taken for a pretence; against which, prouision had not beene formerly made, because the Popes had no other ayme, but to holde the Princes in warre; and the Princes, thinking to suppresse the euill with punishments, haue not attained the wished end, nor the Magistrates and Bishops iustly performed their duety. The principall remedy was to flie vnto God, to assemble godly men out of the whole Kingdome, to finde a way to root out the vices of the Clergie, to forbid infamous and immodest songs, and in stead of them to command the singing of Psalmes, and holy hymnes, in the vulgar tongue; and, if the common interpretation which goeth about be not good, to take away the errours, suffering that which is good to be vsed by all. Another remedie was, the Generall Councel, alwayes vsed to compose such differences; that hee could not see how the Popes conscience could be quiet one moment, in regard so many soules did perish euery day; saying, that if a Generall Councell could not be obtained, they were to assemble a Nationall, by the example of *Charles* the Great, and *Lewis* the *Deboneere*; that they did grieuously erre who troubled the publique quiet with armes, vpon pretence of Religion, a thing alwayes abhorred by antiquitie; that

The French King calleth an assembly at *Fountainbleau*.

In which the opinions were diuers.

1560
Pivs 4.
Ferdinand.
Elizabeth.
Francis 2.

that their errour was as great, who condemned to death those that adhered to the new doctrine, onely for the opinion of Pietie; who, dying constantly, and contemning the losse of their goods, stirre vp the mindes of the multitude, and make them desirous to know what faith that is, for which they endure so great punishments.

Charles Marillac Bishop of *Vienna*, spake in the same manner; commending the Generall Councell, but adding, that it might sooner be desired then hoped for, considering the difficulties which doe vsually arise in such a businesse, wherein *Charles* the 5. hauing taken great paines, hath euer beene deluded by the Popes. Besides, the disease of France is so sharpe, that there is no time to call a Physician from farre. Therefore they were to call a Nationall Councell, as had beene vsed from the time of *Clodoue* vntill *Charles* the Great, and afterwards vntill *Charles* the seuenth, sometimes of the whole kingdome, and sometimes of part: that now, the disease being vrgent, they were to expect no longer, nor to holde any esteeme of the impediments which the Pope did interpose; in the meane while that the Prelates ought to reside, and that the Italians, who haue a third part of the benefices, were not to be suffered to enioy the fruits in their absence; to take away all Simonie, and ordaine, as was done in the *Anciran* Councell, that almes should not be giuen in times of administring the Sacraments; that the Cardinals and Prelates, deputed by *Paul* the third, gaue the same counsell; that *Paul* the fourth thought it necessary, though afterwards he gaue himselfe to luxury and war, that if this were not done, there was danger to see the prophecie of *Bernard* verified, *That Christ would descend from heauen to whippe the Priests out of the Temple, as hee had the Merchants.* Then he spake of the remedies for the other maladies of the Kingdome. *Coligni*, when it was his turne to speake, said, that requiring those who gaue him the petitions to subscribe them, hee was answered, that 5000. men would subscribe, if there were occasion.

Francis of *Guise*, concerning the point of Religion, said, hee referred himselfe to the iudgement of learned men, but protested that no Councel should haue so great authoritie with him, as to make him decline one iote from the olde beliefe. The Cardinall of *Lorraine*, hauing spoken of other particulars, descending to that of Religion, said, that the petitions presented were most proud, and that to grant the Orators publique exercise, were to approoue their doctrine; that it was a cleere case, that the greater part vsed religion for a pretence; and therefore his opinion was, they should be proceeded against with more seueritie, mitigating the punishment of those who assemble without armes, onely for religion, instructing and admonishing them; and to this purpose to cause the Prelates to reside, hoping that by these remedies, all will be prouided for, without either Generall or Nationall Councell. The voices being not vniforme, a decree was made, the 27. of that moneth, that there should be an assembly of the States at *Meaux*, the tenth of December, and, if the Generall Councel shall not be called suddenly, as the Pope hath made shew, the Bishops shall assemble the 15. of Ianuarie to treat of celebrating a National: in the meane while the punishments for cause of religion were suspended, except against those who took armes.

The Decree of this Assembly.

The Pope, informed of the resolution of the assembly of *Fontainbleau*, wrote

1560
Pivs 4.
Ferdinand.
Elizabeth.
Francis 2.

Causeth the Pope to make shew that he is resolued to cal the Councell suddenly.

wrote to Cardinall *Tornon* to hinder the meeting of the Bishops, and, if hee could not, to returne to *Rome*. And the three and twentieth of September hee called the Ambassadours, and tolde them the necessitie of the sudden celebration of a generalll Councell, in regard of the determination of the French men, to call a Nationall; which though he had giuen order to Cardinall *Tornon* to hinder, yet hee did not hope it could bee done. But he saw a necessitie to celebrate the generall Councell, that it might not bee sayde that the Nationals were called, for want of it. Therefore that hee must needes open the Councell of *Trent*, taking away the suspension; that the place was most fit, being betweene *Germanie* and *Italie*, though others propose *Spire*, *Triers*, and others places, which hee would accept if they were secure, being readie to goe to *Constantinople*, if hee might with safetie; that one could not trust those who want faith; that no Catholike could bee secure in those places, no not the Emperour himselfe; that, if they refuse *Trent*, they may finde places in the Dukedome of *Milan*, the Kingdome of *Naples*, in the state of *Venice*, of the Duke of *Sauoy*, or *Florence*. Concerning the reuocation of the things alreadie decided, it was not to bee mentioned; that hee would neither reuoke nor confirme them, but referre all to the Councell, which, with the assistance of the holy Spirit, will determine whatsoeuer it shall please God. Hee did much ruminate vpon the Nationall Councell of *France*, saying that *Germanie* would follow the example, and that some stirres would bee raised in *Italie*, if order were not taken; that they would submit the Papacie to the Councell, and whatsoeuer belongeth to it. But his resolution was this: *Pro fide & religione volumus mori.* Desiring the Ambassadours to speake their opinion, the Emperours Ambassadour sayd, it was better to take time, in regard the Emperours affayres would not permit him to consent. The Pope seeming to bee angry, the Ambassadour added, that it was good first to winne the mindes of the Princes of *Germanie*. The Pope answered more angerly, that there was now no time to doe it; and the Ambassadour replying that he feared that by this meanes the heretiques would be incited against *Italie*, the Pope said, aloud, that God would not abandon his owne cause, and that hee should bee assisted by the Catholique Princes, with men and money, for his defence. The Spanish Ambassadour commended the Popes purpose, and sayd that his King would not faile to fauour him, and that to this end hee had already sent *Antonio di Toledo* into *France*. The Ambassadours of *Portugall*, *Venice*, and others offered the fauour and assistance of their Princes, and in the end, the Pope gaue them order to signifie his intention, and so dismissed them.

Wherin he is contradicted by the Emperours Ambassadour onely.

Afterwards hee receiued answere from Cardinall *Tornon*, that, hauing tried all meanes, hee was not able to remooue the King, or any of his Councell, nor could hope for any better successe hereafter, yea, that hee saw all things to waxe worse. The King of *Spaine*, hauing sent to the Pope the finall answere giuen to *Toledo*, wrote withall, that the French King excused himselfe, that, without a Nationall Councell, he could not remedie the disorders of his kingdom, and that it was no maruaile, if, to withstand inconueniences, Princes doe that alone, which they should doe together with the

Pope

Pope. This letter troubled his Holineſſe thinking hee did inferre that hee might doe the ſame alſo himſelfe in *Flanders*. It was afterwards diſcouered that the Popes purpoſe was, if hee could not abſolutely auoide the Councell, to deferre it at the leaſt, vntill he had ſet in order his domeſticall affaires. For, being to hold a Synod, it was neceſſarie to giue a good example in the meane ſpace, and ſpend exceſsiuely in maintaining poore Prelats, and officers, and other things, neceſſarie for the Synode, which would conſume all the reuenewes; and the buſineſſe it ſelfe alſo would take vp all his time, ſo that hee could not take care of his houſe. But hee reſolued, though againſt his will, not to deferre the Conuocation any longer. Whereupon, the twentieth of October hee helde a congregation of Cardinals, in which hee gaue them an account of the anſwere of the French King to *Toledo*, of the King of *Spaine*, his letter to him, and of the negotiation of the Cardinall *Tornon*; adding a new aduertiſement ſent him out of *France*, that although the generall Councell were opened, they would not goe thither, if the Proteſtants did not conſent to receiue it. Theſe things put them in a great confuſion, and all feared, that though the generall Councell ſhould proceede, yet *France* would make the National, whence, by conſequence, an alienation from the obedience of the Apoſtolike Sea would ariſe, and an example to the reſidue of Chriſtendome to doe the like, either with, or without the conſent of their Princes.

1560

PIVS 4. FERDINAND

ELIZABETH. FRANCIS 2.

The Popes ſecret purpoſe was to auoide, or deferre the Councell.

But maketh a contrary reſolution againſt his will.

And is much troubled with the occurrences of *France*.

Some thought much of the Proteſtation made to the Cardinall of *Trent*, that hee ſhould not bee too liberall in offering that Citie, but remember that the Emperour is Lord of it, without whoſe conſent hee neither can, nor ought to diſpoſe of it in ſuch a buſineſſe; who had declared himſelfe alreadie that, by all meanes, hee would firſt make a Diet. They were alſo much troubled with that which *D. Antonio di Toledo* wrote, that all the Grandies, yea the Biſhops themſelues did fauour the new opinions, to ſettle and augment their owne eſtates. Notwithſtanding all this all the Cardinalls, except the Cardinall of *Ferrara*, were of opinion to open the Councell, remooving the ſuſpenſion. The Pope ſaid the Councell ſhould begin at S. *Martins* tide; and conſidering the imminent dangers, and the hopes to ouercome them, he reſolued in himſelfe, and did comfort alſo the Cardinals and his other dependants with it, that the loſſe would be great to *France*, and little to him. For the Apoſtolike Sea receiueth yeerely out of that Kingdome but fiue and twentie thouſand crownes; but, on the other ſide, the Kings authoritie being great, granted by the Popes, to diſpoſe of Benefices, hee would looſe it all, in regard the Popes authoritie being taken away, the *Pragmatike* would take place, and the Biſhops would be elected by the Canons, the Abbats by the Monaſteries, and the King bereaued of all this. Therefore hee was ſorie for nothing but for the loſſe of ſo many ſoules. But if God would correct them for their faultes and infidelitie, he could not helpe it.

His comfort is that the loſſe will be greater to the French King then to the Apoſtolike Sea.

In the beginning of November letters came to *Rome* from the Emperour; in which he ſaid, though in generall termes, that, concerning the Councell, hee would doe, for his owne perſon, whatſoeuer the Pope pleaſed; but added, that, to holde a Councell out of *Germanie*, or to continue that of *Trent*, by taking away the ſuſpenſion, would doe no good, but raiſe a greater hatred

The Emperor writeth to the Pope againſt the continuation of the old Councell, and for the conuocatiō of a new

1560 in the Proteſtants, with danger that they would endeuour to hinder it with armes; in which kind hee had heard of diuers treaties: but, making a new Councel, there was hope to perſwade them to goe thither. This cauſed variety of opinions amongſt the Cardinals, it being plaine, that, if there were not a continuation of the Councell of *Trent*, all the things already determined would be vaine and void, hauing neuer beene confirmed by any Pope. This was propoſed in congregation by his Holineſſe, whereof they conſulted and ſpake much, without giuing of voyces; which being demaunded in another congregation, *Carpi* ſhewed at large, that it was neceſſarie to continue the Councell, remooving the ſuſpenſion onely, and was followed by *Ceſis* and *Piſano*. But the Cardinall of *Trent*, who was next, ſaid, that in a matter where they were to treat *de ſumma rerum*, full of ſo many difficulties, it was better to thinke a little more on it. And this opinion was followed by all the other Cardinals. And, fitly, the next euening a Currier came in haſte, to *Rome* out of *France*, with proteſtations from the King, that, if the generall Councell were not called, he could no longer deferre the National: and that they were not to thinke of *Trent*, or any place in *Italie*, in regard the Councell hauing beene deſired ſo many yeeres for the neceſſities of *Germanie*, and now the danger of *France* being added, it was meete to holde it in a conuenient place for both the nations: otherwiſe it would bee in vaine, if the Germans and French-men went not thither; adding, that if any place in *France* were choſen, it ſhould bee moſt ſecure. In the ende the Pope thought not fit to delay it any more, but the fifteenth of Nouember reſolued in the Conſiſtorie to make, the next Sunday, a proceſsion, in ſackecloth and aſhes, giuing a Iubelie, and ſinging the Maſſe of the holy Ghoſt, for the determination made to celebrate the Councell in *Trent*; concluding that if, after it was aſſembled, it ſeemed commodious to tranſlate it to another place, hee would doe it, and goe himſelfe alſo in perſon, ſo that it were ſecure. He added, that he could finde Armes to vſe, if any went about to infringe the things determined; and began to conſider of the tenor of the Bull. Euery day a congregation was held, to reſolue whether they ſhould plainely declare the continuation, taking away the ſuſpenſion (as he deſired) that the things determined might not be diſputed on againe, or examined. The Imperialiſts, and French men laboured much with the Pope and the Deputies, that it might be called a new Councell, that the Dutch and French-men might goe thither, ſaying they might reſolue in it that the things already handled might not bee handled againe; otherwiſe it were in vaine to ſpeake of a Councell to reduce the Proteſtants, giuing them occaſion at the firſt to refuſe it, and to ſay they could not ſubmit themſelues to thoſe who haue condemned them before they were heard. On the contrary, the Spaniards and Duke of *Florence*, who was then in *Rome*, laboured that the ſuſpenſion only might be remoued, and a continuation declared. The Pope and deputies tooke a middle way, hoping both parties would bee ſatisfied. A Iubelie was publiſhed and ſent into all places, and the 24. day the Pope, with the Colledge of Cardinals, & all the Court, went on foote, with a ſolemne proceſsion, from S. *Peters* Church to *Minerua*; in which there was great confuſion. For the Ambaſſadors who were wont to go before the Croſſe, perceiuing that the BB. did follow, and after them the Duke of *Florence*

PIVS 4. FERDINAND.

ELIZABETH. FRANCIS 2.

Wherein the Cardinals are diuided in opinion.

The Proteſtations of the French King ſent to *Rome*.

A proceſſion and Iubelie for the determination to celebrate the Councell.

A great queſtion in *Rome* whether the continuation ſhould plainly be declared.

rence between 2. minor Cardinals, they would haue that place also. Wherupon there arose a disorder; for composing whereof, after some contestation, the Pope gaue thē place between himself & the Cardinals who went before him. 1560

PIVS 4. FERDINAND. ELIZABETH. FRANCIS 2.

The 29. day the Conuocation of the Councell was published in the Consistory; the Bul whereof was intitled, of the *Intimation* of the Councel of *Trent*: the Latine word was *Indictionis*. And it was so printed in many places; though afterwards when the whole bodie of the Councell was printed, the word, *Celebrationis*, was vsed. The tenor of the Bull was;

The Bull of the intimation of ỹ Councell.

That the Pope, from the beginning of his assumption, did applie his mind to the rooting out of heresies, extinction of diuisions, and amendment of manners; for remedie whereof hee resolued to celebrate a generall Councel, that *Paul* the third and *Iulius* had assembled it before, but could not finish it; and relating all the occurrences vnder those Popes, ascribeth the successe to diuers impediments, promoted by the enemie of mankinde, at the least, to deferre so great a benefite of the Church, which hee could not absolutely hinder; saying that in the meane while the heresies and diuisions were multiplied. But it hauing pleased God to giue peace to Christian Kings and Princes, he conceiued hope to put an end to the euils of the Church, by means of the Councell, which hee would not deferre any longer, that hee might take away schisme, and heresies, reforme manners, and preserue peace amongst Christians. Therefore, by the counsell of the Cardinals, and aduise of *Ferdinand*, Emperour elected, and other Kings and Princes, whom hee hath found ready to helpe forward the celebration, by the authoritie of God, and of the holy Apostles *Peter* and *Paul*, hee doth intimate a generall Councel, in the Citie of *Trent*, to begin at Easter, remooving all suspension whatsoeuer; exhorting, and commanding, vnder the canonicall punishments, all Patriarkes, Archbishops, Bishops, Abbats, and others, who haue a deciding voyce by law, priuiledge, or ancient custome, not beeing lawfully hindered, to be there before that day; admonishing those also in the same manner, who haue, or may haue any interest there; praying the Emperour, Kings, and Princes, to send their Proctors, if they cannot bee personally present, and to cause their Prelates to performe their duetie, without excuse or delay, and to make the passage free and secure, for them and their companie, as himselfe will doe within his territories, hauing no other end in celebrating the Councell, but the honour of God, the reducing of the dispersed sheepe, and the perpetuall peace of Christendome; ordaining that the Bull should bee published in *Rome*: and that by vertue thereof after the end of two moneths, it shall bind all that are comprehended, as if it had been personally intimated vnto them.

Did not please either party.

The Pope thought hee had satisfied himselfe, those who would haue a new Councell intimated, and those who desired a continuation of the old. But as middle counsels doe vsually displease both parties, so the Pope gaue satisfaction to none, as shall be declared. Presently after the publication of the Bull, the Pope sent *Nicheto* into *France* with it, with commission, if the forme did not please, to say, that they should not except against the word *Continuare*, because it did not hinder them to speake againe of the things already proposed. Hee sent it also to the Emperour, and King of *Spaine*. Hee

1560
Pivs 4
Ferdinand.
Elizabeth.
Francis 2.

sent likewise *Zacharias Delphinus*, Bishop of *Liesina*, to the Princes of high *Germanie*, and *Ioannes Franciscus Comendone*, Bishop of *Zante*, to those of Low *Germanie*, with letters to them all, and with order, first to receiue instruction from the Emperour how to treat with them, and then to execute their Ambassage. He sent also the Abbat *Martinengo* to the Queene of *England*, to inuite her and her Bishops to the Councell, beeing perswaded so to doe by the forenamed *Edward Cerne*, who promised him that his *Nuncio* should bee receiued by one halfe of the Kingdome, by the Queenes consent. And although the Pope was put in mind, that to send *Nuncij* into *England*, and to Princes elsewhere, who doe professe open separation from the Sea of *Rome*, would be a disreputation to him, yet hee answered he would humble himselfe to heresie, in regard whatsoeuer was done to gaine soules to Christ, did beseeme that Sea. For the same reason also hee sent *Canobius* into *Polonia*, with desseigne to make him to goe into *Moscouia*, to inuite that Prince and Nation to the Councell, though they haue neuer acknowledged the Pope of *Rome*.

The Queene of *England* is inuited to the Councell.

Afterwards he returned to speake of the Councell in Consistorie, desiring to be informed of the learned men, of good life and opinion, of diuers Prouinces, fit to dispute and perswade the trueth, saying he purposed to call many of them; promising that, after hee had vsed all possible diligence to make all Christians come thither, and to vnite them in religion, though some or many refused to come, hee would not forbeare to proceede. Yet he was troubled, because the Protestants of *Germanie*, vnto whom a great part of *France* was vnited, would denie to come, or would demand exorbitant things, which hee could not grant them, and doubted they might bee able to disturbe the Councell with armes. Neither did hee hope to bee assisted by the Emperour against them, in regard of his small forces. He confessed that the dangers were great, and the remedies small, and was perplexed and troubled in mind. The Bull of the Councell going through *Germanie*, fell into the Protestants hands, assembled at the mariage of the Duke of *Salzemburg*, who did intimate a Diet in *Namburg*, to begin the twentieth of Ianuary.

Vergerius writeth a booke against the Bull.

Vergerius wrot a booke against this Bull, in which, after a great inuectiue against the pompe, luxury, and ambition of the Court, he said, that the Councell was called by the Pope, not to establish the doctrine of Christ, but the seruitude and oppression of poore soules; that none were called, but those who were bound by oath to the Pope, so that not onely all were excluded who are separated from the Church of *Rome*, but also men of the greatest vnderstanding amongst themselues, taking away all libertie, in which onely there was hope of agreement.

The prince of *Conde* is imprisoned, and a guard is set vpon ỹ King of *Nauar*.

At this time newes came to *Rome* that the French King had imprisoned the Prince of *Conde*, and set a guard vpon the King of *Nauar*; which pleased the Pope much, as a thing which might wholly disturbe the Nationall Councell. And his hope was the stronger that he should receiue no distast, because aduise came that the King was very sicke, & in danger to die; which hindered the assembly of the States in *Meaux*. And, in the end, there was great alteration. For *Francis*, the French King, dying the fifth of December, and *Charles* the ninth, of the age of ten yeeres, succeeding, in regard of his minoritie, the gouernment fell principally vpon the King of *Nauar*, as first Prince

The French King dieth, & Charles the 9. succeedeth.

of

of the *Blood*. The Queene mother adhered to him, to maintaine and continue the authority which shee had taken in the life time of her other sonne; and *Navar* was content to participate with her, the better to maintaine his owne. He did almost openly fauour the new religion, and was wholly gouerned by the counsell of *Iasper Colligni*, the Admirall, who did make profession of it; so that the Protestants were more confident to obtaine liberty of religion, as they desired. They assembled almost publikelie, with much discontent and indignation of the people, and danger of sedition. Hereupon the Kings mother, and the chiefe of the Counsel resolued to hold the States in *Orliens*, and beganne to doe it the 13. of December.

1560
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

The King of *Navar* and Q. mother gouerne *France*.
Which maketh the Protestants more confident.
The States are held in *Orliens*.

Amongst other things, there proposed for the benefit of the Kingdome, the Chancellor said, that religion is the most potent weapon, ouercommeth all affections, and charitie, and is the surest bond of humane society; that Kingdomes are more bounded and more diuided by religion, then by the confines themselues; that he that is moued with religion, contemneth wife, children, and kinred. If there be difference of religion in the same family, the father agreeth not with his sonnes, nor the brothers amongst themselues, nor the husband with the wife. To remedy these disorders, there is needs of a Councel, which the Pope hath promised: but, in the meane while, it is not to be tolerated, that euery one should shape out his owne religion, and bring in new rites at his pleasure, and so trouble the publique peace. If the Councel faile, by the Popes default, the King will make prouision another way: but it was necessary that euery one should amend himselfe, because a good life is a vehement orator to perswade; that the names of *Lutherans*, *Hugonots*, and *Papists*, no lesse factious then those of the *Guelphes* and *Ghibilines*, were to be taken away, and armes to be taken against those who couer their auarice, ambition, and desire of innouation, with the cloake of religion.

Where the Chancellor beginneth to speake.

Iohn Angelo, aduocate in the Parlament of *Bourdeaux*, spake for the third Order; he spake much against the bad manners, and discipline of the Clergy, noting their ignorance, auarice, and luxurie, as causes of all the euils; and did much discourse vpon them: in the end, hee demanded that all might bee redressed by a sudden celebration of the Councel.

Iohn Angelo speaketh for the 3. order.

Iames, Earle of *Rotchfort*, spake for the Nobility; who, amongst other things, said that all the euill did arise from the large donations, made by the King and other Grandies, to the Churches, especially of iurisdictions; a thing much inconuenient, that hee that ought to giue himselfe wholly to prayer, and preaching, should exercise power ouer the liues and goods of the Kings subiects; and that it was necessary to remedy these inconueniences. And, in the end, hee gaue a petition, demanding in the name of the Nobility, to haue publique Churches for their religion.

Iames, Earle of *Rotchford*, speaketh for the Nobility.

Iacobus Quintinus a Burgundian, spake for the Clergie. He said, the States were assembled to prouide for the necessities of the Kingdome, not to amend the Church, which cannot erre, which is without blemish or wrinckle, and will alwaies remaine without corruption, though the discipline, in some small part, may need reformation. Therefore those are not to bee hearkened vnto, who, renewing the sects, long since buried, demand Churches apart from the Catholiques, but are to be punished as heretiques, and doe not deserue that the King should heare them, who ought to force all

Iacobus Quintinus speaketh for the Clergie.

1561 Pius 4. Ferdinand. Elizabeth. Charles 9.

his subiects, to beleeue and liue according to the forme prescribed by the Church; that those who haue forsaken the Kingdome for religion, ought not to be suffered to returne; that those that are infected with heresie, ought to be proceeded against capitally; that the Ecclesiasticall discipline will easily be reformed, if the Clergie be freed from payment of tenths, and elections restored to the Chapters, it being obserued that, in the yeere 1517. when, by the *Concordate*, the nomination of Ecclesiasticall dignities was giuen to the King, the heresies of *Luther* beganne, who was followed by *Zuinglius* and others. In the end, he demanded that all immunities and priuiledges of the Clergie should be confirmed, and all grieuances remooued.

The opinions of *Luther* began when the *Concordate* was made.

The King ordayned that the Prelats should put themselues in order to goe to the Councel, which was intimated at *Trent*; commanded that all that were in prison for religion, should be set at liberty, their processes made void, their offences, commited vntill that time, pardoned, and their goods restored. He constituted a capitall punishment, for those who gaue offence for matter of religion, either in words or deeds. He admonished all to follow the rites vsed in the Church, without making any innouation. The residue was deferred vntill May next, when the petition, presented by *Rotchfort*, was to be considered of.

The Ordinations of the King.

The Pope, vnderstanding of the death of King *Francis*, together with the aduice of the Cardinall *Tornon*, that the Queene was ioyned with *Nauar*, was troubled in mind, fearing the raines would be more giuen to the Protestants. Therefore hee sent *Lorenzo Lentio*, Bishop of *Fermo*, and caused the King of *Spaine* to send *Io. Manriques*, to condole with the Queene, for the death of her sonne, and to pray her to bee carefull of the religion in which she was borne and bred; to remember the great benefits receiued from the Apostolique Sea, by the meanes of *Clement*, and not to suffer schisme to arise, by too much licence, nor to seeke remedies elsewhere for the euils present and imminent, but from the Church of *Rome*; for which end the Councel was intimated; that, in the meane space, shee would take care that the Kingdome should not swarue from true piety, and that no preiudice should bee done to the Councel intimated.

The Pope sendeth a *Nuncio* to the Queen mother, and the King of *Spaine* an Ambassadour.

1561 The yeere 1560. ended thus, leauing some seedes, from whence greater troubles did spring. The next yeere *Manriques* came into *France*, and deliuered his Ambassage. Who hauing receiued from the Queene a pious and fauourable answere concerning religion and the Councel, and speaking againe of the same subiect, as occasion was offered, did continually exhort her to proceed with punishments against the *Hugonots*, adding threats also to his exhortations. *Nauarre*, contrary to all the Spanish deseignes, did oppose, in regard of his pretensions to the Kingdome of *Nauarre*. *Manriques* did combine with the house of *Guise*, and others who had the same deseigne, to make him fauour the Catholiques, the Pope, and the Councel, to propose vnto him the patronage of the Catholique religion in *France*, and that he would bee diuorced from his wife, *Ioan* of *Alibret*, Queene of *Nauarre*, by inheritance, and would retaine right to the Kingdome by the Popes authority, of which shee should bee depriued for heresie by his Holinesse, and would take to wife *Mary* Queene of Scots, by whom hee should haue

The Negotiation of the Spanish Ambassadour.

the

the kingdome of *England*, *Elizabeth* being depriued by the Pope. For effecting all this, the *Guiſards* promiſed him the Popes authority, and the forces of the King of *Spaine*, who, for *Nauarre*, would giue him the Kingdome of *Sardinia*. Theſe things they continually repreſented vnto him, in diuers formes, euen vntill his death. 1561 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

In *Germanie*, the Princes of the *Auguſtan Confeſſion*, aſſembled in *Neumburg*, eſpecially in regard of the Councell, being aſhamed that their religion ſhould bee eſteemed a confuſion for the variety of doctrines amongſt them, did propoſe that they might firſt agree in one, and then reſolue whether they ought to refuſe or accept the Synod. Concerning the firſt point, many ſaid that the difference was not eſſentiall, and that the Papiſts did more ſubſtantially differ, diſſenting euen in the very foundations of Religion. They ſaid the *Auguſtan Confeſſion* was to bee the ground of their doctrine; and if they differed in any point not contained therein, it would be of ſmall importance. But there being diuers Copies of that *Confeſſion*, which differed, in regard of diuers additions made in diuers of them, ſome approouing one, and ſome another, many thought they ought to take that onely which was preſented to *Charles* in the yeare 1530. Whereunto thoſe of the *Palatinate* did not conſent, except it were declared, in a Proheme made vnto it, that the other edition did agree with it. The Duke of *Saxonie* anſwered, they could not ſtop the eyes and eares of the world, that they ſhould not ſee and heare their differences, and that, if they would make ſhew of vnion where they were at variance, they ſhould bee conuinced of vanity and lying; and, after many contentions, they remained without agreement in that point. For the Councell, ſome thought fit to refuſe it abſolutely, and others were of opinion, to ſend Ambaſſadours to make offer that they would go to a free and Chriſtian Councell, and to propoſe the exceptions, of the ſuſpicion of the Iudges, of the inconueniencie of that place, and others, oftentimes propoſed, to ſhew they did not refuſe the authoritie of a lawfull Councel, and that the vnion of the Church was not hindred by them, but by the ambition of the Court of *Rome*: which would make the *German* Catholiques more fauourable to them. And they concluded to make petition to the Emperour in this forme.

The Proteſtants make an aſſembly in *Neumburg*, to deliberate concerning the Councell.

The two *Nuncij*, arriuing in *Auſtria* at the ſame time, found the Emperour at *Vienna*, who gaue them counſell to go both immediatly to *Neumburg* in *Saxonie*, where the Proteſtants were aſſembled in a Diet, and to treat as modeſtly with them as was poſſible, taking care not to exaſperate or offend them. For if they went to each of them into their owne States, they would be poſted from one to another, and would neuer haue any certaine anſwere, and vvhen they had both performed this office ioyntly, they might diuide themſelues, and go apart to vvhom they vvere ſent. Hee put them in mind of the Conditions vvith vvhich the Proteſtants did formerly condeſcend to the Councell, that, if mention vvere made thereof againe, they might be prepared to reply, in the Popes name, what they thought fit. The Emperour ſent three Ambaſſadours of his owne to goe with them to the Aſſembly, and the King of *Bohemia* did recommend them to the Duke of *Saxonie*, that they might goe ſecurely. The Emperours Ambaſſadours, hauing had audience

To which place the Popes two *Nuncij* are ſent by the Emperour, with 3. Ambaſſadors of his owne.

at

1561
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

at the Diet, exhorted the Princes to assist in the Councell, and to put an end to the calamities of *Germanie*. The Princes, after they had consulted together, thanked *Cæsar*, and, concerning the Councell, said they would not refuse it, if the word of GOD were to be iudge, if the BB. were released of their oaths, made to the Pope and and Sea of *Rome*, and if the Protestant Theologues might haue decisiue voyces. But seeing that the Pope admitteth no Bishops to be in the Councell but such as are sworne vnto him, against which they haue alwaies protested, they could hardly agree vnto it; that they were willing presently to represent so much to the Emperour with all respect, deferring their absolute answere vntill the Princes, then absent, were informed.

The Protestants answer to the Emperours Ambassadors.

Afterwards the Popes *Nuncij* were brought in; who, hauing commended the Popes pietie and religion, in reuiuing the Councell, to extirpate sects, in regard there are as many religions & gospels, as there are Doctors, said, he had sent to inuite them, to help forward so laudable an enterprise, promising that all should be handled with Christian charitie, and that their voices shall be free. They presented also the Popes *Brieues*, written to each of them. The next day all the *Brieues*, sealed as before, were sent backe, and the *Nuncij* called to receiue an answere; which was to this effect. That they did not acknowledge any iurisdiction of the Bishop of *Rome*; that there was no cause to reueale their pleasure concerning the Councell to him, who had no power either to call or hold it; that they had deliuered their mind and determination to the Emperor, their Lord; that to the *Nuncij*, who were nobly descended, in a Common-wealth which they loued, they offered all good office, and would do more if they had not come from the Pope. Thus they did end the assembly, and did intimate another, to begin in April to finish the treatie of vniting themselues together.

And to the Popes *Nuncij*.

The Protestants doe intimate another assembly, to begin in April.

The *Nuncio Delphinus*, deliuered his Ambassage in diuers Cities as he returned. The Senate of *Noremberg* answered, that they would not forsake the *Augustan Confession*, nor accept of the Councell, as not hauing the conditions required by the Protestants. The Senats of *Argentine*, *Francfort*, *Ausburg*, and *Vlma*, answered in the same manner. *Comendone* parting from the Diet, went to *Lubec*, from whence he sent to *Frederic* King of *Denmarke*, to demaund his safe conduct to come to him, to deliuer to him the Popes Ambassage, and, inuite him to fauour the Councell. He answered, that neither *Christian*, his father, nor himselfe had euer any thing to doe with the Pope, and therefore he cared not to receiue any Ambassage from him. Both the *Nuncij* had a fauourable answere from the Prelats, Princes, and Cities Catholique, with promise of deuotion to the Pope; but, concerning the Councell, they said they were to treat with the Emperour, it being necessary to consult together, for feare of the Lutherans. *Ierolamus Martinengo*, sent to the Queene of *England* for the same cause, being in *Flanders*, receiued commandement from her not to passe the sea; and although the King of *Spaine* and Duke of *Alua* did make earnest entreatie that he might be admitted, and heard, commending the cause of that Legation, that is, the vnion of all the Christian Church in a generall Councell, yet the Queene did persеuere in her first resolution, answering that she could not treat with the Bishop of *Rome*, whose authoritie was excluded out of *England*, by consent of Parliament.

The negotiation of *Delphinus*.

Of *Comendone*.

Of *Martinengo*.

Canobius,

Canobius, when he had deliuered his Ambaſſage to the King of *Polonia*, by whom he was well receiued, could not goe into *Moſcouia*, by reaſon of the warre betweene that Prince and the King. But going into *Pruſsia*, he was anſwered by that Duke, that he was of the *Auguſtan Confeſsion*, and could not conſent to a Popiſh Councell. The *Suiſſes*, aſſembled in a Diet at *Bada*, heard the Popes *Nuncio*, and, receiuing the Briefe, one of the Burgomaſters of *Zuric* did kiſſe it. The Pope, aduertized heereof, could not chooſe but tell it to all the Ambaſſadours reſiding with him, with much ioy. But, hauing conſulted of the buſineſſe concerning the Councel, the Catholiques anſwered, that they would ſend thither, and the Euangeliques that they would not accept of it.

1561
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
And of *Cantons.*

The Pope reioyceth that his Bull was kiſſed by a Burgomaſter of *Zuric*.

The negotiation of the *Nuncij* in *Neumburg* beeing publiſhed in *Rome*, there was a whiſpering againſt the Pope, for ſending Miniſters to the Diet of the Proteſtants: wherein he excuſed himſelfe, that it was not by his order, but by the Emperours, to whoſe direction he did referre the *Nuncij*; for which hee did not blame him, in regard hee did not care for nice points of honour, but onely for doing of good. The Emperour, hauing conſulted with his Diuines concerning the Bull of the Councell, wrote to the Pope, that as *Ferdinand*, hee would totally adhere to the will of his Holineſſe, and bee content with any forme of the Bull, and endeauour that all *Germanie* ſhould ſubmit themſelues to him; but as Emperour hee could ſay nothing vntill he was informed what was done by the *Nuncij*, and his Ambaſſadours, who went to the Diet of the Proteſtants in *Neumburg*. Hee was almoſt ſecure, that if the Pope had not declared, that the conuocation of the Councell was not a continuation, but a new *indiction*, or that the points already decided might be reuiewed, and handled againe, the Bull would haue beene accepted. The French King wrote to his Ambaſſadour in *Rome* the laſt of Ianuary, that there were ſome things to be reformed in the Bull before hee could receiue it. For although the word *Indictio*, was vſed in the title, yet in the body of it there were words which did ſignifie the remooving of the ſuſpenſions of the Councel already begun, which *Germany* ſuſpecting, would vndoubtedly require an interpretation of them: which would draw the Councell in length, and not giuing the Emperour ſatisfaction, and them, would cauſe ſo many diuiſions in Chriſtendome, and ſo many difficulties, that it would be a Councell in ſhew onely, without fruit or profit. That, for his part, hee was pleaſed that *Trent* ſhould be the place, nor made any difference whether it were a new *Indiction*, or a continuation, in regard his Holineſſe was willing, as hee was tolde by *Nicbeto*, that the determinations already made may be diſputed, and examined againe: wherein, as the reall performance would giue ſatisfaction to all, ſo to take away feare, and ſecure euery one, it was neceſſary to declare ſo much beforehand, taking care to ſatisfie the Emperour by all meanes, without whom no good ſucceſſe of the Councell could be hoped for. Hee ſaid, that if all this were not perfourmed, hee would, as the purpoſe of his brother was, call a Nationall Councell, which was the onely remedy for the neceſſities of his Kingdome. Hee gaue order to his Ambaſſadour alſo, to complaine to his Holineſſe, that his brother hauing procured, with ſuch earneſt entreatie, the opening of the Councell, yet

The Emperor excepteth againſt the Bul of the Councell.

And ſo doeth the French King.

no

1561 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

no honourable mention was particularly made of him in the Bull; the reason whereof euery one knew to be, becauſe hee would not name the French King immediatly after the Emperour. Notwithſtanding all theſe reſpects, the King, to promote the buſineſſe of Religion, wrote at the ſame time to the Prelates of his Kingdome, to prepare themſelues to goe to the Councell, and to be there at the time of the Conuocation: of which Letter hee ſent a copie to *Rome*.

To whom the Pope anſwereth.

The Pope was aduertiſed by his *Nuncio*, that the King ſpake againſt the Bull, by inſtigation of the Cardinall of *Loraine*; and, after hee had heard the Ambaſſadours propoſition, he anſwered, That he marueiled that the King, who doeth not acknowledge any ſuperiour, would ſubiect himſelfe to the diſcretion of another Prince, and not referre himſelfe to the *Vicar* of Chriſt, to whom it belongeth to moderate whatſoeuer doeth concerne Religion; ſaying, that his Bull was approoued by all others, and had no need of Reformation, and that he was reſolued it ſhould ſtand as it did. That, for naming the French King, he had not thought of it, and that the Cardinals, to whom the compoſition of it was committed, thought it ſufficient to name the Emperour and all Kings in generall; otherwiſe, naming one in particular, it would haue beene neceſſarie to haue done the like in all the reſt; that himſelfe tooke care onely of the ſubſtance of the Bull, leauing all the reſt to the Cardinals. This anſwere did not ſatisfie the Frenchmen, who thought their preheminence was not to be paſſed ouer in generall termes, in regard as well of their greatneſſe, as of their merits towards the Apoſtolique Sea. In the end, the Pope gaue them contentment, ſaying, he could not haue his eye vpon all things, but would be carefull not to commit any errour hereafter. Yet he made no great account of that kingdome, ſeeing that, without any reſpect of his authoritie, they intermedled in things properly belonging to him: as in pardoning heretiques, and ordering things Eccleſiaſticall, though reſerued to himſelfe. For the States aſſembled in *Orleance* in Ianuarie, did ordaine that the Biſhops ſhould be elected by the Clergie, with the aſſiſtance of the Iudges of the King, twelue of the Nobilitie, and as many of the people; that no money ſhould be ſent to *Rome* for *Annats*; that all Biſhops and Curates ſhould reſide perſonally, vpon paine of looſing the fruits of their Benefices; that in euery Cathedrall Church a Prebend ſhould be reſerued for a Reader in Diuinitie, and another for a Schoolemaſter; that all Abbats, Abbeſſes, Priors, and Prioreſſes ſhould be ſubiect to the Biſhops, notwithſtanding any exemption; that nothing ſhould bee exacted for adminiſtring the Sacraments, for Burials, or other publique functions; that Prelats ſhould not vſe cenſures, but for publique faults and ſcandals; that women ſhould not make profeſſion to be of any religious order, before the age of twentie yeeres, nor men before the age of fiue and twenty, vntill which time they might diſpoſe of their goods to whom they pleaſed, except to the Monaſterie; that the Eccleſiaſtiques ſhould not receiue Legacies, or any thing left vnto them or giuen them by laſt will. And other things alſo were ordained, for better reformation of the Church, and of the Clergie; which though they were not then publiſhed, yet the *Nuncio* ſent them to the Pope, and thoſe that gouerned France, thought it ſufficient to giue ſatisfaction in ſhew onely, to

The Pope doeth not eſteeme *France*.

thoſe

thoſe that required a reformation, not caring that any thing ſhould bee executed. 1561

PIVS 4. FERDINAND ELIZABETH. CHARLES 9.

But, on the contrary, the Kings Diuines in Spaine did not approoue the Bull, becauſe it did not plainely ſay, it was a continuation of the Councell already begun, yea they thought, though the affectation of ambiguitie were manifeſt, that it was plainely a new intimation, and ſome of them helde, that it might be drawen from the words by a cleare conſequence, that the Determinations made alreadie in *Trent*, might be reexamined; which they ſaid was dangerous, would embolden the Proteſtants, and might cauſe a new diuiſion amongſt the Catholiques. The King would not publiſh or receiue the Bull, vpon pretence that the words were ambiguous, and that it ought to be expreſſed plainely, that it was a continuation of the Councell, and that the things alreadie determined might not be called into queſtion: but the true cauſe was, for that the King of *Nauarre*, hauing ſent the Biſhop of *Cominges* to tender his obedience to the Pope, according to the cuſtome, hee receiued him in the Kings Hall, and as Ambaſſadour of the King of *Nauar*, thinking it preiudiciall to his poſſeſſion of that Kingdome, to which he had no title but by the excommunication of *Iulius* the ſecond, and becauſe hee gaue audience to *Monſieur de Cars*, who came to intreat him in the ſame kings name, to be a meanes that the Kingdome might be reſtored to him, or ſatisfaction giuen him, and had promiſed his paines herein. The Pope ſent the Biſhop of *Terracina*, expreſſely, into Spaine, to iuſtifie and excuſe what hee had done in fauour of the King of *Nauarre*, and to expound, as it were by occaſion, the meaning of the Bull. To thoſe that were afraid, in regard of the contrary opinions of ſo great Princes, hee anſwered, that as a louing father, hee had inuited all, but that hee eſteemed the Proteſtants as loſt, and that the Catholiques of *Germany* could not adhere to the Councell without making a ſeparation from the others, and raiſing a warre: and if any Catholique Prince would forſake him, hee would proceede by his owne authoritie, as did *Iulius* the third without the French King. But hee tolde his inward friends, that he accounted all theſe troubles to be indifferent, in regard, not knowing the iſſue of them, hee might as well hope for a good ſucceſſe, as feare a badde. In the meane ſpace hee ſaw that he receiued ſome benefite by this vncertaine Councell, becauſe it ſerued him as a bridle for Prince and Prelate, in attempting any nouitie, and for a colour to denie vnpleaſing ſuits, ſaying that the Councell being opened, hee ought to proceed warily, and with reſpect, and not to be prodigall in beſtowing graces and fauours: and when any great difficultie did ariſe, hee did referre it to the Councel. Onely he was afraid that the bad affection of the Proteſtants towards the Church of *Rome*, might cauſe ſome excurſion into *Italie*, which would bee deriued wholly vpon himſelfe; and hee ſaw an ouerture thereof by a difference of precedence betweene the Dukes of *Florence* and *Ferrara*, who deſcended to vnciuill termes. *Coſmo*, Duke of *Florence*, ſaid hee held the place of the Florentine republique, which was euer preferred before the Dukes of *Ferrara*. *Alfonſo*, Duke of *Ferrara*, pretended that the Dukedome had continued in the houſe of his progenitors for many ſucceſſions, whereas *Coſmo* was the firſt Duke of *Florence*, whoſe precedencie could not be maintained

The King of *Spaine* exceptoth againſt the Bull.

And is angry with the Pope for receiuing the Embaſſador of the K. of *Nauar* in the kings hall.

For which two cauſes the Pope ſendeth a *Nuncio* into *Spaine*.

The vncertainty of the Councel did ſtand the Pope in ſome ſtead.

A difference about precedence betweene the Dukes of *Florence* and of *Ferrara*.

1561
Pivs 4.
Ferdinand.
Elizabeth
Charle 9.

tained by the right of the republique, becauſe it was no more in being. This Duke was fauoured by *Francis*, as coſin to *Henrie* the ſecond, and brother in law to thoſe of the houſe of *Guiſe*. The other grounded himſelfe vpon a ſentence of *Charles* the fifth, in his fauour. *Alfonſo* made inſtance in *Germanie*, that the Emperour, with the Electours, would bee iudge of it in a Diet. The Pope thought it dangerous that the Diet of *Germanie* ſhould giue ſentence concerning *Italie*, which did by conſequence import an execution, and danger of armes. For remedie whereof, hee wrote to both the Dukes, that it belonged onely to the Apoſtolique Sea, and *Vicar* of Christ to giue ſentence in ſuch cauſes, commanding them both to ſhew him their proofes, and to expect his determination. And to bee prepared for all euents, hee reſolued to fortifie the Caſtle of *Rome*, and the City *Leonina*, commonly called *Borgo*, and other places in his State, as he thought conuenient, and impoſed a tare, of three *Iulij*, vpon euery meaſure of corne, called a *rubie*, throughout his whole Territory. And not to giue cauſe of ielouſie to Princes, he called the Ambaſſadours of the Emperour, *Spaine*, *Portugal*, and *Venice*, to whom hee imparted his determination, and his reaſons, commanding them to aduertiſe their Princes of it: and ſaide, that the ſubſidy laide vpon his ſubiects would bee but ſmall, leſſe then that which was impoſed by *Paul* 4. when hee commanded the celebration of the Chaire of S. *Peter*; becauſe by his impoſition, the poore man paid but three *Iulij* a yere, but by the Feaſt of *Paul* 4. did loſe fiue, and that daies worke.

The Pope appointeth preſidents for the Councel.

The time prefixed, to beginne the Councel, approaching, the Pope, not to faile in any thing that was to be performed by him, deputed Legate to preſide, *Hercules Gonzaga*, Cardinall of *Mantua*, a man eminent, in regard of the greatneſſe of his houſe, of his brother *Ferandus*, and of his owne vertue. He vſed the Emperour to perſwade him to accept, and was confident of his worth and dexterity. To him hee ioyned *Iacobus Puteus*, of *Nizza*, an excellent Lawyer, who was exerciſed a long time, firſt in the *Rota*, and then in the *Signature*; ſaying that hee purpoſed to make three more, and that, if hee could not finde able men in the Colledge, he would create new Cardinalles, Deuines, and Lawyers, men of honeſty, for this imployment. And he called a Congregation of Cardinalles and Prelates, to giue order for all things, neceſſary for the beginning of the Councel in *Trent*, at the time appointed: and letters came very fitly from the French King; and, in conformity of them, his Ambaſſadour, Mounſier of *Angoleſme*, did declare vnto him, that he was content with the Councel vpon any termes, being deſirous to ſee the effect of it, and that fruit which all Chriſtendome did require. And he ſent Mounſier *de Rambouillet* expreſſely vnto him, to make the ſame requeſt, and to repreſent vnto him the neceſſities of *France*, and to tell him of the inſtance made vnto him herein, by the States aſſembled in *Orliens*; ſignifying vnto him that, if this remedie were not quickelie applied, he ſhould be conſtrayned to receiue a medecine in his owne Kingdome, by an Aſſembly of his Prelates, in regard there was no meanes to compoſe the differences of religion, but by a free Generall Councel, or, in defect thereof, by a Nationall. The Pope anſwered that none did deſire the Councel more then himſelfe, the delay whereof proceeded not from him, but from the diuers opi-

The French King acceptеth the Bull.

nions

nions of Princes, for whose satisfaction hee had giuen such a forme to the Bull, as seemed most fit to content them all. They changed their opinion in *France*, because, being in as bad a state as might bee, they thought that euery mutation made else where would better their condition. 1561 PIVS 4. FERDINAND. ELISABETH. CHARLES 9.

Viterbo wrote out of *Spaine* that the King did approoue his propositions, and that, after some consultation with his Prelates, was finally resolued to accept the Bull, without making any difficultie, and to send his Prelates as soone as the season was fit for trauell, and an honourable Ambassage, to assist in the Councell. Hee sent aduice also that the Prelates of *Portugal* were alreadie parted from their houses, and that the King would send an Ambassadour; but that he had perceiued that some of those Prelates had a purpose, that the superioritie of the Councell aboue the Pope should be defined in the Synod, which point they had studied, and caused many Diuines to doe the like. The Pope was troubled with this aduice, and considered what hee might looke for when the Prelates were assembled in the Councell, and did treate altogether, who had such high thoughts before they parted from home, and feared that the King and his Councell had a finger in it. Yet, as a wise Prince, hee considered, that when the Councell was helde, not that nouitie onely would be proposed, but many more, to the disaduantage of others as well as of himselfe: saying that euery weight had his counterpoyse, and that of the things that are attempted, not one in a thousand doth take effect.

And so doth the King of *Spaine*.

The Pope is troubled with the designe of the *Portugal* Diuines.

Hee was more attentiue to the enterprises of the French-men, as being more imminent, and of persons who are not flegmaticall in resoluing, as the Spaniards are. Therefore hee imparted to the Ambassadour euery aduice that came vnto him, and told him in diuers conferences, that they were not to thinke of National Councels, assemblies, or *Colloquies*, in matter of religion, because hee could not but esteeme them all for schismaticall; that hee prayed the King not to vse those remedies, which would certainely reduce *France*, not onely into a worse condition, but into the worst of all; that the difficulties of *Spaine* being remooued, the Councell should certainely be celebrated, because those which doe continue in *Germanie*, are not considerable; that the Catholike Princes and Bishops will consent, and perhaps the Duke of *Saxonie* also, as hee hath made shew, by separating himselfe from the others assembled in *Neumburg*; that hee hoped the Emperour would assist personally, if there were neede, as himselfe did promise to doe, if hee thought it fit, wherein hee would not subiect himselfe to the iudgement of any but himselfe.

Easter drawing neere, which time was appointed to begin the Councell, and Cardinall *Puteus* being very sicke, hee put in his roome Friar *Ierolamus*, Cardinall *Seripando*, a Diuine of much fame, and caused him to depart presently, and to passe by *Mantua*, taking with him the other Legate, and to bee at *Trent* at the time appointed. Notwithstanding which commandement they came not thither vntil the third feast of the resurrection, and found there nine Bishops who were arriued before them. The Pope was diligent to make the Italian Bishops put themselues in order, and therefore wrote effectuall letters to the Vice-roy of Naples, and to his *Nuncio* there, and caused his Ministers to

One of the Presidents falleth sicke, and another is put in his place.

1581 perſwade the Biſhops of the State of *Milan*, to bee readie for their iourney to the Councell, as ſoone as might be. Hee deſired alſo the ſtate of *Venice* to ſend the Biſhops of their Territories in *Italie*, of *Candia*, *Dalmatia*, and *Cyprus*, with all poſsible expedition, and to create Ambaſſadors, to aſſiſt in the Councell, in the name of that Republike. The Italian Prelats were not eaſily moued, becauſe they knew the beginning could not be before the conſent of the Emperour did come: which was ſtill prolonged becauſe the Spaniards and French-men were expected, before whoſe arriuall in *Italie* they thought it ſuperfluous to goe to *Trent*. And many of them, eſpecially the Courtiers, could not beleeue but that the Pope did counterfeit. But the truth was that, being aſſured he could not auoide the Councell, hee did deſire to ſee it quickly. He ſaid hee knew what inconuenience the prolongation did cauſe, but knew not what the celebration might doe: and thought that the enemies of his owne perſon, and of the Apoſtolike Sea might doe him more hurt in the time of the expectation, then they could doe in the Councell it ſelfe. And being of a reſolute nature, hee vſed the Prouerbe; It is better to prooue the euill once, then alwayes to feare it.

Pius 4. Ferdinand. Elizabeth. Charles 9.

The Italian Prelates are not ſo haſtie to goe to the Councell as ſ Pope would haue had thé.

The Duke of *Sauoy* maketh a compoſition with the *Waldenſes* of *Montſenis*.

While theſe delayes were vſed, the Duke of *Sauoy* made a compoſition with the *Waldenſes* of the *Valleys* of *Montſenis*. For, hauing made more then a yeeres tryall to reduce them by puniſhments, and, after they ſtood vpon their gard, as hath beene ſaid, maintained Souldiers againſt them, for which the Pope did aſſiſt him with money, howſoeuer they proceeded rather with skirmiſhes, then any ſet warre, becauſe of the craggedneſſe of the Countrey, yet, at the laſt, they came to a formall battell, in which the Duke had a great ouerthrow, loſt ſeuen thouſand men, and ſlew but foureteene of the enemies: and although hee did often repaire his armie, yet hee had alwayes the worſe. Therefore conſidering hee did nothing but make his rebels more warlike, conſume his owne Countrey, and ſpend his money, hee reſolued to receiue them into fauour, and made an agreement with them, the fifth of Iune; in which hee pardoned all faults paſt, gaue them libertie of conſcience, aſſigned them certaine places, where they might make their congregations, in other places gaue them leaue to comfort the ſicke, and doe other duties of religion, but not to preach; gaue leaue to thoſe that were fled to returne againe, and reſtitution of goods to thoſe that were baniſhed. It was agreed alſo that the Duke might ſend away which of their Paſtors hee pleaſed, and that they might prouide themſelues of others; that the Roman religion might bee exerciſed in all places, but no man inforced to profeſſe it. The Pope was much diſtaſted that an Italian Prince, aſſiſted by him, and not ſo potent but that hee might ſtill haue neede of him, ſhould permit heretikes to liue freely in his ſtate: and the example did trouble him aboue all, becauſe it would bee alleadged to him, by greater Princes, when they would permit another religion. He made a bitter complaint hereof in the Conſiſtorie, comparing the miniſters of the Catholike King with that Duke, who hauing, at the ſame time, diſcouered three thouſand Lutherans, who went out of *Coſenza*, and retired themſelues to the mountaines, to liue according to their doctrine, did hang ſome, burne others, and put the reſt into the galleys; and hee exhorted all the Cardinals to thinke of a remedie. But there was great difference betweene

By reaſon of a great ouerthrow.

Which giueth diſtaſt to the Pope.

tweene oppreſſing a few diſarmed perſons, farre from helpe, and ouercomming a great number of armed men in a place aduantagious for them, with potent ſuccours at their ſhoulders. The Duke ſent to iuſtifie his cauſe, and the Pope, not able to anſwere his reaſons, was pacified. 1561 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

In *France*, though the Queene and Prelates did deſire to ſatisfie the Pope, in referring the cauſes of religion to the Councell, yet a congregation of the Prelates was put in order: in which, howſoeuer the Ambaſſadour aſſured the Pope, that nothing ſhould bee ſpoken of doctrine, nor any thing preiudiciall to his authority, but onely a courſe ſet downe how to pay the Kings debts, to prouide againſt ſome abuſes, and to conſult what was to bee handled in the generall Councell, yet his Holineſſe was not ſatisfied, yea was of opinion that they thought that to prouide againſt abuſes, was to hinder the profites of the Court, and that to conſult of the Councel, was to ioyne with the Spaniards (whereof hee had ſome intelligence) in the point of the ſupreame power of the Councell, euen ouer the Pope. And, by reaſon of the diſſentions between the Grandies of the Court, ſpread alſo ouer all the Prouinces, becauſe euery one ſought to increaſe his faction, there being a great libertie of ſpeaking, the profeſſours of the new religion were plainely diſcouered, and protected by the greateſt about the King, with much indignation of the Catholiques. Whereupon there were contentions and diſcords throughout the whole Kingdome, calling one another, in ſcorne, *Papiſts*, and *Hugonots*, the Preachers making the people tumultuous, and euery one hauing diuers ends. He plainly ſaw that if the Catholike partie had not all the ſame ayme, ſome great inconuenience would ariſe; for preuenting whereof, and to croſſe thoſe deſſeignes, hee thought it neceſſarie to haue a Miniſter there, a man of authoritie, and not a French man, who would haue more intereſt in the kingdom, then in the ſeruice of the Apoſtolique Sea; and reſolued to ſend a Legat thither. And caſting his eye vpon all the Cardinals, hee made choyce of *Ferrara*, in whom all neceſſary qualities did concurre; ſingular wiſedome, dexteritie in negotiations, nobility of birth, being allied to the Royall houſe of *France*, brother in law to the Kings great Aunt, daughter of *Lewis* the 12, and ſo neere a couſin to thoſe of *Guiſe*, (the Dukes wife being the Cardinals neece) that they could not chuſe but fauour him, in regard of their neereneſſe in blood. Hee gaue him foure particular commiſſions; to fauour the Catholiques, and oppoſe the Proteſtants; to diuert the Nationall Synode, and aſſemblie of the Prelates; to ſollicite the going of the Prelates to the Councell; and to cauſe an abrogation of the conſtitutions, made in matters Eccleſiaſticall.

Who was pacified by the Duke.

The Pope is offended with the Congregation of the Prelates in *France*.

Into which Kingdome he ſendeth for Legate the Cardinall of *Ferrara*.

And giueth him foure cõmiſſions.

While the Legate was preparing to goe, there fell out an accident which made the Kings neereſt friends feare the Catholiques, as much as the Proteſtants. For the fourteenth of Iuly, *Arthurus Deſiderius* was apprehended neere to *Orleans*, who was ſent into *Spaine* with a Supplication, written in the name of the Clergie of *France*, in which they demaunded the aſſiſtance of that King againſt the Proteſtants, becauſe they could not bee ſuppreſſed by a boy and a woman, with other more ſecret inſtructions in cipher, to be imparted to his Maieſtie. This man being impriſoned, and interrogated of the confederates, diſcouered ſome, whom it was dangerous to

A ſupplication ſent out of *France* into *Spaine*.

1561
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.

make knowen: for which cause they resolued to proceede no further, but condemned him to make honourable satisfaction, to teare the supplication, and to bee perpetuall prisoner in the Monasterie of the *Carthusians*. But many of his confessions beeing diuulged, the Kings Counsel thought fit to giue the other party some satisfaction. Whereupon the King did prohibite the names of *Hugonotes* and *Papists*, ordaining that no man, vnder pretence of discouering the Congregations for religion, which were forbid, should enter with many or few, into another mans house; that those who were in prison for religion should bee set at libertie, and that those which fled, since the time of *Francis* the first; might returne and repossesse their goods, in case they would liue like Catholiques, or, if they would not, might sell them, and goe to another place. The Parliament of *Paris* did oppose, and said, it was a kinde of grant of libertie of religion, which was neuer knowen in *France*; that the returne of the fugitiues would cause great troubles, and that the libertie to sell their goods, and goe to another place was against the lawes of the Kingdome, which doe not giue leaue to carrie foorth any great quantitie of money.

The King maketh an ordination in fauour of the Protestants.

But notwithstanding all these oppositions; the Edict was executed; so that the Protestants being increased in number, and making more and greater assemblies then they were wont, the King, with the Queene and Princes, went into the Parliament to prouide a remedy, by the mature counsel of men skilfull in matters of State and Iustice. The Chancellour said, they were not to speake of Religion, but of making prouision against dayly tumults, which did arise by meanes of it; lest beeing made licentious, by raising of stirres, they might lay aside all obedience to the King. There were three opinions. 1. To suspend all punishments against the Protestants, vntill the decision of the Councell. 2. That they should bee capitally proceeded against. 3. That they should be punished by the Ecclesiasticall Court, forbidding their Congregations, either publike or priuate, and liberty to preach, or administer the Sacraments, but after the Romane fashion. In conclusion, they tooke a middle course, and made an *Edict*, which is called the *Edict of Iuly*. That all should abstaine from doing of iniuries, and liue in peace; that the preachers should not raise tumults, vpon paine of death; that none should preach or administer the Sacraments, but according to the Romane rite; that the Ecclesiastiques should bee iudges of heresie; that if the person guilty were deliuered to the Secular power, no greater punishment should bee inflicted then banishment, and this to continue till a generall or nationall Councell did determine otherwise; that all those who haue moued any tumult, for the cause of religion, should be pardoned liuing hereafter in peace, and like Catholiques. Afterwards treating how to accommodate the controuersies, it was ordained that the Bishops should meete in *Poisi*, the tenth of August, and that the Protestant Ministers should haue a safe conduct to come thither. This was contradicted by many of the Catholiques, who thought it strange, dishonourable, and dangerous to put the Religion of their predecessours, receiued vntill that time, to compromise, and in hazard. But they yeelded at the last, because the Cardinall of *Lorraine* promised largely that hee would confute the heretiques, and take the burden vpon himselfe;

The Edict of Iuly.

A *Colloque* is ordained at *Poisi*.

In which the Card. of *Lorraine* vndertaketh to confute the heretiques

himselfe; wherein hee was assisted by the Queene, who, knowing his desire to make ostentation of his witte, was willing to giue him satisfaction. 1561 Pivs 4. Ferdinand. Elizabeth. Charles 9.

The Pope had newes at once of these two Edicts; in which hee found some thing to commend, and some thing to blame. Hee commended the Parlament, for maintaining the cause of religion, and blamed it, because they had ordered, contrary to the *Decretals*, not to proceed to any greater censure then banishment. His conclusion was, that when the maladie is greater then the remedie, it ought to be made lighter by patience. But the imminent danger of the assembly of the Prelates, especially together with the Protestants, he thought was intolerable, and said, hee would doe the best he could to hinder it; wherein if hee should not be able to preuaile, yet he was without fault. Therefore he treated effectually with the Ambassadour, and with the King, by his *Nuncio*, that, seeing the Assembly could not bee omitted, yet at the least the arriuall of the Cardinall of *Ferrara* might bee expected, that beeing made in presence of an Apostolicall Legate, with absolute authority, it might be lawfull. He wrote also to the Prelates that their power did not extend so farre as to make Decrees in matter of religion, or Ecclesiasticall discipline, and that, if they went beyond their bounds, hee would not only make all void, but proceed against them with all seuerity. Neither the *Nuncio*, nor the Ambassadour could preuaile, in regard that not onely the Popes aduersaries did oppose, but euen the Cardinall of *Lorraine* himselfe, with his adherents; and it was told the *Nuncio* in the Kings name, that the Pope might rest secure, because nothing should bee resolued on, but by the opinion of the Cardinals.

But, for all this, the affaires of the Church did precipitate: and in *Rome*, it was thought to be a great fall, that there being a controuersie for precedencie betweene the Cardinals and Princes of the Blood, in the Assembly of the States continued in *Poutoise*, the Kings Councel did determine it against the Cardinals, and the Cardinals (*Chastillon* and of *Armignac* did yeelde, though *Tornon*, *Loraine*, and *Guise* departed, disdayning and murmuring at their Colleagues. And the Deputy of the third Order, who spake against the Clergy, was heard with applause, obiecting to them ignorance, and luxury, demanding that all iurisdiction should be taken from them, and the reuenewes, and a Nationall Councel held, wherein the King or Princes of the Blood should preside; and that in the meane time those, who doe not receiue the Romish ceremonies, might assemble, and preach, in the presence of a publike Minister of the King, that it might plainely appeare that nothing is done against him.

The Councel of the French King determineth that the Princes of the Blood ought to precede the Cardinals.

They treated also of applying to the publique a part of the Ecclesiasticall reuenues, and many other things against that order; and the number of those who did fauour the Protestants, did still increase. The Clergie, to free themselues, were forced to promise to pay the King foure tenths yeerely, for sixe yeeres, and so the humours, stirred against them, were quieted. And, which was the greatest precipice, the Queene wrote a long letter to the Pope, dated the fourth of August, shewing the imminent dangers for the differences of religion, and exhorting him to vse some remedie; shee saide there

The Pope is discontented with a letter sent vnto him by the Queen mother.

1561
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.

were so many separated from the Church of *Rome*, that it was impossible to reduce them, either by law or force; that many of the Grandies of the Kingdome did draw others by their example; that there beeing none of them who denie the articles of faith, nor the sixe Councels, many did aduise to receiue them into the communion of the Church; but if this did not please, and that it seemed better to expect a Generall Councel, in the meane space, in regard of the vrgent necessity and danger of delay, it was necessary to vse some particular remedie, by making *Colloquies* of both parties, by admonishing them to abstaine from iniuries, contentions, and offensiue words, by cleering the minds of those who were not aliened as yet, taking from the place of adoration the Images, prohibited by God, and condemned by S. *Gregory*; by remooving from Baptisme, spittle, and exorcismes, and other things, not instituted by the word of God; to restore the vse of the *Cup* in the Communion, and prayers in the vulgar tongue; that the first Sunday in euery moneth, or more often, the Curates should call those who will communicate, and, singing Psalmes in the vulgar, should, in the same also, pray for the Prince, and Magistrates, for the salubrity of the aire, and fruits of the earth; then, expounding the places of the Euangelists, and of S. *Paul*, concerning the Eucharist, they should come to the Communion; that the Feast of *Corpus Christi* should be taken away, because it is instituted onely for pompe; that if the *Latine* tongue must bee vsed in prayers, yet the vulgar should bee added, for the benefit of all; that the Popes authority should not be diminished, nor the doctrine changed, in regard it is not iust to take away the ministery, because the Ministers haue erred. It was thought that shee wrote these things at the perswasion of *Iohn Monluc*, Bishop of *Valence*, with too much French liberty; and they troubled the Pope very much, considering the time, full of suspitions, when a Nationall Councel was spoken of, and a *Colloquie* intimated in *Poiss*. Hauing well considered all, he resolued to dissemble, and not to answere, but onely that, the Councel drawing neere, whatsoeuer was thought necessary might be there proposed, with assured hope that no resolution should bee made but for the seruice of God, and peace of the Church.

These occurrences did confirme the Pope in his opinion, that the Councel was profitable both for himselfe and the Court, and that it was necessary to celebrate it for his defence, against the preparations which were and might be made. And hee shewed tokens of ioy, for the letters which came vnto him, the 24. of August, from the Emperour, in which he said that hee did absolutely consent vnto the Councel, and that hee did not declare himselfe vntill then, that hee might more easily winne the Princes of *Germanie*; but now, not being able to doe any more, he prayed him to continue his endeauours, in hastening the celebration. Hauing called together all the Ambassadours of Princes, and most of the Cardinalls, so that it was almost a Consistorie, hee shewed the letters to them all, saying it was worthy to bee written in letters of gold; that the Councel would bee most profitable; that it was not to be deferred; that it would be so vniuersall that the City of *Trent* would not be able to receiue it, and that it would bee necessary to thinke of translating it to a place more large and fertile. His discourse was approoued

But is comforted by another, receiued from the Emperour.

by

1561
PIVS 4. FERDINAND.
ELIZABETH. CHARLES 9.

by all that ſtood by, though ſome thought it dangerous to name the *tranſlation* in the beginning, in regard that euery little ſuſpition might either hinder or delay the Councel. Others beleeued that this would not diſpleaſe the Pope, and that he caſt foorth that word to open a gate where the difficulty might enter.

It being not onely reſolued, but generally knowen that none of the Dutch Prelats would come to *Trent*, and a doubt made alſo, in regard of the *Colloquie* inſtituted, that the French-men would treat onely amongſt themſelues, and that the Councell would conſiſt of none but *Italians*, except ſome few *Spaniards*, the *Italians* were of opinion, that a few of them would ſerue the turne, ſo that many of them vſed meanes to the Pope to bee excepted; who told them plainly, that he was aſſured that all the *Vltramontans* would come, full of hopes to ſubiect the Popedome to the Councell, which being the common intereſt of *Italie*, whereby it is preferred before other Nations, they ought to go all thither for the publike defence; that he would not exempt any, but rather take all hope from them, ſaying that they might bee aſſured thereof, ſeeing how diligent he was in ſending the Legats thither. For, beſides the Cardinall of *Mantua*, and *Seripundo*, he had ſent *Staniſlaus Oſius*, Cardinall of *Varmia*. The next day, hauing publiſhed the Emperours letters, he called a generall congregation of all the Cardinals, though it were Sunday. He treated of many particulars concerning the beginning and progreſſe of the Councell; and promiſed to aſſiſt the poore Prelats with money, but vpon condition they ſhould goe thither; and allowed them but eight daies to begin their iourney. He ſhewed how neceſſary the Councell was, in regard Religion was baniſhed, or endangered in ſome place euery day. And he ſpake the truth. For in *Scotland*, in an aſſembly of all the Nobilitie of the kingdome, it was conſtituted that there ſhould be no more exerciſe of the *Roman* Catholique Religion.

The *Italians* deſire to be excuſed from going to the Councell, but cannot obtaine leaue of the Pope.

The *Roman* Catholike religion is baniſhed out of *Scotland*.

In Auguſt the Prelats did aſſemble in *Poiſi*, where they treated of the reformation of the Cleargie, without making any concluſion. Afterwards, the Proteſtant Miniſters being come, in number foureteene, who were called, and ſecured by a ſafe conduct, amongſt whom *Peter Martyr*, a *Florentine*, who came from *Zuric*, and *Theodore Beza*, who came from *Geneua*, were the chiefe, they gaue a petition to the King which had foure parts. 1. That the Biſhops might not be Iudges in that buſineſſe. 2. That the King with his Counſellours would preſide. 3. That the controuerſies might be decided by the word of God. 4. That that which was agreed on, and decreed might be written by Notaries elected by both parties. The Queene would haue one of the foure Secretaries of the King to write, and graunted that the King ſhould preſide, but ſo, that this ſhould not be committed to writing, alledging that it was not fit for them, nor profitable for the King, conſidering the preſent times. The Cardinall of *Lorraine* deſired the Kings preſence in the publique aſſembly, that it might be more frequent, and adorned, to make oſtentation of his worth, promiſing himſelfe a certaine victorie. Many of the Diuines perſwaded the Queene not to ſuffer the King to bee preſent, that thoſe tender eares might not be enuenomed by peſtiferous doctrine. Before the parties were called to the combat, the Prelats made a

The *Colloquie* of *Poiſi* in *France*.

proceſſion,

1561
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

proceſſion, and did all communicate, except the Cardinall *Chaſtillon*, and fiue Biſhops. The others proteſted one to another, that they meant not to handle points of doctrine, nor matters of faith.

In which the King ſpeaketh briefely.

The ſecond of September they began, in preſence of the King, Queene, Princes of the blood, and the Kings Counſellors, together with ſixe Cardinals, and fortie Biſhops. The King, as he was inſtructed, made an exhortation, that, being aſſembled to remedie the tumults of the kingdome, and to correct the things that were amiſſe, he deſired they ſhould not depart, before all differences were compoſed.

And ỹ Chancellor at large

The Chancellor ſpake more at large to the ſame purpoſe, in the Kings name, and ſaid particularly, that the diſeaſe being vrgent, did require a preſent cure; that the remedie which could bee expected from the Councell, beſides that it would bee ſlow, would proceede from men, who, being ſtrangers, know not the neceſſities of *France*, and are bound to follovv the Popes vvill; that the Prelats preſent, knovving the needs of the kingdome, and neere in blood, are more fit to execute this good worke; that although the Councell intimated by the Pope were held, yet the like of this hath beene done at other times, and is not without example; that, in the time of *Charles* the great, many Councels were held at once; and that, many times, the error of a general Councel hath bin corrected by a National, as Arianiſme eſtabliſhed by the general Councel of *Arimini*, was condemned in *France*, by a Councel called by S. *Hilarie*. He exhorted all to ayme at the ſame end, and the more learned not to contemne their inferiors, nor theſe to enuie thoſe; to auoid curious queſtions; not to be auerſe from the Proteſtants, who were their brethren, regenerate in the ſame Baptiſme, worſhippers of the ſame CHRIST. He exhorted the Biſhops to treat with them courteouſly, ſeeking to reduce them, but without ſeueritie, conſidering that much was attributed to them, in that they were ſuffered to be Iudges in their owne cauſe: ſaying, that this did conſtraine them to proceede with ſinceritie, and that, in ſo doing, they ſhould ſtop the mouth of their aduerſaries, but, tranſgreſſing the office of iuſt Iudges, all would bee in vaine, and to no purpoſe. The Cardinall *Tornon* roſe vp, and, hauing thanked the King, Queene, and Princes, for the aſſiſtance they affoorded to that aſſembly, ſaid that the Chancellors propoſitions were of great importance, and not to bee handled, or anſwered vpon the ſudden, and therefore deſired they might be committed to writing, the better to deliberate vpon them. The Chancellor did refuſe, & the Cardinal of *Loraine* did vrge it.

The Queene mother commaundeth *Beza* to begin.

The Queene, perceiuing that this was required by the two Cardinals, to draw the buſineſſe in length, gaue order to *Beza* to ſpeake: Who, hauing prayed on his knee, and recited the profeſſion of his faith, complained that they were accounted turbulent, and ſeditious, perturbers of the publique peace, though they had no other end then the glory of GOD, nor deſired to aſſemble themſelues, but to ſerue him, and obey the Magiſtrates, appointed by him. Then he declared in what they do agree with the Church of *Rome*, and in what they diſſent, he ſpake of faith, good workes, of the authoritie of Councels, ſinnes, of Eccleſiaſtical diſcipline, obedience to Magiſtrates, and of the Sacraments; and entring into the matter of the *Euchariſt*, hee ſpake with ſuch heate, that he gaue but ill ſatisfaction to thoſe of his owne partie;

Who ſheweth too much heat.

ſo

so that he was commanded to conclude. And hauing presented the *confession* of his Churches, and desired it might be examined, he made an end. The Cardinall *Tornon*, full of disdaine, rose vp, and said, that the Bishops, euen forcing their consciences, had consented to heare these new *Euangelists*, foreseeing they would speake many iniurious things against God, and that but for the respect they bare to the King, they would haue risen, and disturbed the assembly. Therefore hee prayed his Maiestie, not to beleeue what they had said, because the Prelates would disproue it, so that hee should see the difference betweene the trueth and a lie; and demanded a dayes time to answere, requiring that all should be remooued from thence, that they might not heare those blasphemies. Wherewith the Queene, thinking her selfe to be touched, answered, that nothing was done but by the aduise of the Princes, of the Kings Counsell, and Parliament of *Paris*, not to change or innouate any thing in Religion, but to compose the differences, and to reduce those that wandred into the right way; which the Bishops were bound in wisedome to procure, by all good meanes.

1561
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

Whereat Cardinall *Tornon* disdaineth.

The assembly being dissolued, the Bishops and Diuines consulted amongst themselues what to doe. Some of them would haue had a *Confession* of Faith written, vnto which if the Protestants would not subscribe, they should be condemned for heretiques, without any further disputation. Which opinion seeming too hard, after much discourse, they resolued to answere two of the points proposed by *Beza*; that is, of the *Church*, and of the *Eucharist*. The Congregation being assembled againe the sixteenth of the moneth, the Cardinall of *Loraine*, in presence of the King, Queene, and Princes, made a long Oration, and said; That the King was a member, not head of the Church; that it belonged to his care to defend it, and that, for matter of doctrine, hee was subiect to the Ecclesiasticall Ministers; that the Church did not containe the elect onely, and yet could not erre; that when any particular Church is in an errour, recourse must be had to the Church of *Rome*, Decrees of the generall Councels, consent of the ancient Fathers, and, aboue all, to the Scripture expounded in the sence of the Church; that the heretiques, failing in this, haue runne into inextricable errors; as the moderns, for example, in the point of the *Eucharist*, in which, by an incurable itch of curious questions, they haue vsed that which was instituted by Christ for a bond of vnion, to make an irreconciliable rent in the Church. And then he handled this matter, and concluded, that, if the Protestants will not change their opinion herein, there is no meanes of composition.

The Card. of *Loraine* speaketh for the Catholiques.

When he had made an end, all the Bishops stood vp, and said they would liue and die in that Faith; they prayed the King to perseuere in it; adding, that if the Protestants will subscribe to this article, they will not refuse to dispute the rest; but if not, they ought not to haue any more audience, but to be chased out of the whole kingdome. *Beza* asked leaue to answere presently; but, it seeming not fit to equalize a priuat Minister, to a so great a prince Cardinall, the assembly was dissolued. The Prelates were willing the *Colloquie* should haue beene thus ended; but the Bishop of *Valence* tolde them it was dishonourable. Therefore the foure and twentieth day it was assembled againe in presence of the Queene, and the Princes. *Beza* spake of the Church, and

To whom Beza was willing to answer, and was not suffered.

But speaketh another day.

1561 Pius 4. Ferdinand. Elizabeth. Charles 9.

and of the conditions and authoritie thereof; of Councels, shewing they may erre, and the dignitie of the Scripture. *Claudius Espenseus* answered, that hee had alwayes desired a *Colloquie* in matter of Religion, and abhorred the punishments which the poore vnfortunate people endured: but he much marueiled by what authoritie, and by whom the Protestants were called into the Ecclesiasticall ministerie, who had laid hands on them to make them ordinary Ministers, and, if they pretended an extraordinary vocation, where were the miracles to demonstrate it. Then hee treated of traditions. Hee shewed, that there being a controuersie of the sence of the Scriptures, recourse must be had to the Fathers; and that many things are beleeued by tradition onely, as the *consubstantialitie* of the Sonne, the baptizing of infants, and the virginitie of the mother of Christ after his birth. He added, that no generall Councell was euer corrected by another, in point of doctrine. Diuers replies and disputations passed on both sides, betweene the Diuines, who were present. And, there being a great contention, the Card. of *Loraine* making a silence, proposed the matter of the *Euchariſt*, and said, that the Bishops were resolute not to proceede any further, if that Article were not agreed on; and then demanded of the Ministers, if they were prepared to subscribe the *Augustan Confession* in that Article. *Beza* asked whether hee proposed that in the name of all, and whether himselfe, and the other Prelates would subscribe to the other points of that *Confession*: and receiuing no answere either of the one or the other, hee demanded, that that which was proposed to be subscribed vnto, should be put in writing, that they might consult of it; and so the *Colloquie* was put off vntill the next day.

And is answered by *Claudius Espenseus*.

Beza speaketh againe, and prouoketh the Bishops.

In which *Beza*, who began to speake, did much prouoke the Bishops. For, hauing iustified his vocation to the Ministerie, he discoursed of the vocation and ordination of Bishops, shewing what Simonie was committed, and demanding how it could be accounted lawfull. Then passing to the Article of the *Euchariſt*, and the point of the *Augustan confession* proposed vnto him, hee said it ought to be first subscribed by those who did propose it. The parties not being able to agree, a *Spanish Iesuite*, one of the traine of the Cardinall of *Ferrara*, who was at the *Colloquie*, hauing reproched the Protestants, did reprehend the Queene for meddling in matters which belonged not to her, but to the Pope, Cardinals, and Bishops. This arrogancie troubled the Queenes patience; but, for the Popes sake, and the Legats, shee dissembled. Finally, not being able to conclude any thing by this maner of parlie, it was ordered, that two Bishops and three Diuines, of the most moderate, should conferre with fiue of the Protestant Ministers, to see if they could finde out a way to make an agreement. They assayed to frame an Article of the *Euchariſt* in generall termes, taken out of the Fathers, which might giue satisfaction to both parties; which becausse they could not doe, they concluded the *Colloquie*. This did minister much matter of discourse. Some said it was a bad example to treat of errours once condemned, and that they ought not so much as to heare those who deny the foundations of Religion, which hath continued so long, and beene so much confirmed, especially in the presence of ignorant people; and that, although nothing was resolued against the true Religion, it hath made the heretiques bolde, and grieued the Catholiques,

The sawcines of a *Spanish Iesuite*.

A new course is taken.

Which doeth as little good as the former.

tholiques. Others said, it would bee generally good to handle these controuersies often, because the parties would by this meanes become familiar, malice and other bad affections would cease, and many wayes of composition might be found, and that there was no other course to extirpate the euill that had taken such deepe roote. For the Court being diuided vnder pretence of religion, it was impossible they should be reconciled, except all obstinacie layd aside, they did tolerate one another, and take that cloake out of the hands of vnquiet and turbulent people, with which they couer their bad actions.

1561

Pius 4. Ferdinand.

Elizabeth. Charles 9.

The Pope, vnderstanding that the *Colloquie* was dissolued without doing any thing, was very glad, and much commended the Cardinall of *Lorraine*, and *Tornon* more. The zeale of the *Iesuite* pleased him, and sayd, hee might bee compared to the ancient Saints, hauing, without respect of the King and Princes, maintained Gods cause, and vpbraided the Queene to her face. On the contrary, hee reprehended the oration of the Chancellour, saying, it was hereticall in many parts, and threatned to call him into the *Inquisition*. The Court also, when it was diuulged to them, was distasted with it, and coniectured that all the gouernours of the Kingdome had the same disposition towards *Rome*; and the French Ambassadour had much adoe to defend himselfe.

Wherewith y Pope is well pleased.

The Chancellour of *France* is blamed in *Rome*, together with the whole gouernment of y kingdome.

That which hapned to the Cardinall of *Ferrara* is not to bee omitted, as being of affinitie to the matter whereof I write. That Prelat was receiued at the first by the King and Queene, with much honour, and hauing presented the Popes letters of credence, was acknowledged for Legat of the Apostolike Sea, by their Maiesties, by the Princes, and Clergie. But the Parliament, hauing discouered that, amongst his Comissions, one was, to desire a reuocation, or moderation, at the least, of the things accorded in the States of *Orleance*, the last Ianuary, concerning the distribution of Benefices, and, particularly, the prohibition of paying *Annates* to *Rome*, and sending money out of the kingdome to obtaine Benefices there, or other fauours, did immediatly publish the Decrees, which had not beene published vntill that time, vnder the date of the thirteenth of September, that the Cardinall might not obtaine his purpose; and did resolue not to giue the Legat leaue to vse the *Faculties* giuen him by the Pope. For the custome of that kingdome is, that a Legat cannot exercise his office, if his *Faculties* be not first presented, and examined in Parliament, and regulated and moderated by a decree thereof, and confirmed in that forme by the Kings Briefe; so that when the Bull of the *Faculties* of the Legation was presented, to be, as they say, approued, it was refused by the Chancellor and Parliament, alledging that it was already determined not to vse any more dispensations against the rules of the Fathers, nor collation of Benefices against the Canons. But the Cardinall had a greater affront, in that Pasquins were made, and spread, both in the Court and Citie of *Paris*, concerning the loues of *Lucretia Borgia*, his mother, and Pope *Alexander* the sixt, his Grand-father by the mothers side, with repetion of the obscenities, diuulged throughout all *Italy* in the time of that Popedome, which made the Cardinall ridiculous to the people.

The Cardinall of *Ferrara* entertainment in *France*.

The first thing hee vndertooke was to hinder the preaching of the Reformatists,

1561

Pius 4.
Ferdinand.

Elizabeth.
Charles 9.

formatists, who, after the *Colloquie*, did practise it more freely then before, and vsed perswasions, and made secret promises to the Ministers. And because hee had no credit with them, in regard of his kinred with the house of *Guise*, for which reason also he was held suspected by all the opposites of that familie, to gaine reputation, he made acquaintance with the Nobles of the *Hugonot* faction, and went to their feasts, and sometimes was present at their Sermons in the habit of a Gentleman. By all which he gained nothing, because many thought he did it as Legate, by consent of the Pope, and the Court of *Rome* was displeased with his actions.

His familiaritie with the *Hugonots*.

Displeaseth the Court of *Rome*.

The Queene of *France*, vnderstanding that the King of *Spaine* tooke the *Colloquie* in ill part, sent *Iaques de Mombrun* expressly to him; who made a large excuse, that all was done for necessitie, and not in fauour of the Protestants, and that the King and Queene, without speaking any more of a National Councel, were resolued to send their Bishops to *Trent*, as soone as might bee. The King answered him in generall words, and referred him to the Duke of *Alua*: who, hauing heard his Ambassage, saide, that the King was sorie that, in a kingdome so neere, and so neerely allied to him in kinred, religion should bee so ill handled; that there was neede of that seueritie which *Henry* vsed, in a Mercuriall Congregation, and *Francis* in *Amboise*, not long since; he prayed the Queene to make prouision, in regard, the danger of *France* belonging to him also, hee was resolued by the aduice of his Councell, to imploy all his forces, and his life also to extinguish the common pestilence; whereunto he was sollicited by the *Grandies* and people of *France*. The wise Spaniards thought to cure the maladies of *Flanders*, by the medicine of *France*; which were not lesse, but onely were lesse apparant, and tumultuous. The King of *Spaine* could neuer make the States assemble, to obtaine a contribution or *donatiue*; but priuate assemblies in *Cambray*, *Valentia*, and *Tornay* were discouered. The Magistrate hauing forbid them, and imprisoned some of them, they put themselues into Armes, with great danger of rebellion; and it seemed that the Prince of *Orange*, and Count *Egmont* were open fauourers of them, especially after that the Prince had maried *Anne*, daughter of *Maurice*, Duke of *Saxonie* deceased: which did much displease the King, foreseeing what issue such a mariage might haue, contracted by one of his Subiects, with a Protestant of so great adherence. Yet the Spaniards spake as if *Flanders* had beene sound, and that they feared infection in *France* onely, which they would haue purged with warre. And the Ambassadour was answered concerning the King of *Nauarre*, of whose businesse he had Commission to treate, that hee deserued nothing, for the small care hee had of religion, and that if hee would haue fauour, he should first moue warre against the *Hugonots* in *France*.

The Queene vsed the same *Colloquie* to his Holinesse by the Kings Ambassadour in *Rome*, telling him, that, to put the *Hugonots* to silence, who said they were persecuted before they were heard, and to appease their commotions, the King was forced to grant them publike audience, in the presence of the Princes, and officers of the kingdome, resoluing that, if they would not be ouercome with reason, he would, after he had time to put himselfe in order, ouercome them by force. She caused him also to treate with the Cardinall *Farnese*, Legat of *Auignion*, to resigne that legation to the Cardinall of

Elizabeth. Charles 9.

The Queene Mother sendeth an Ambassador into *Spaine* to excuse the *Colloquie*.

The Spaniards would haue cured the maladies of *Flanders*, with the medicine of *France*.

The Prince of *Orange* marieth the daughter of the Duke of *Saxony*.

of *Bourbon*; whereunto *Farneſe* hauing giuen conſent, the Ambaſſador ſpake of it to the Pope in the name of him, and of the King of *Nauarre*; ſaying, that his Holineſſe would be freed from charge, and the Citie ſecured from the *Hugonots*, who would not attempt ought againſt it, being in the protection of a Prince of the blood. Not onely thoſe who were skilfull in the affaires of the world, but euery one of any meane iudgement, knew that this was done to take with eaſe the dominion of that Citie from *Rome*, and vnite it to *France*. Therefore the Pope denied it abſolutely, and related the propoſition in Conſiſtorie, as if ſome great preiudice had beene concealed vnder it, which did not appeare at the firſt ſight. And hee much complained of the Queene and King of *Nauarre*, who hauing often promiſed him that nothing ſhould bee done in *France* againſt his authoritie, yet they did fauour hereſies, and were authors of the Congregations of the Prelates, of *Colloquies*, and of other preiudiciall things. He ſaid his gentleneſſe was ill requited, and therefore, that he would begin the Councell ſuddenly, &, by meanes thereof, make knowen the reuerence which ſecular Princes owe to the Church. He vſed the ſame complaint and threats to the Ambaſſadour; who, hauing replyed that the demand of the Legation was to a good ende, and that all the actions of the Queene were done with maturitie and iuſtice, added, that the Councell was more deſired by the King then by his Holineſſe, hoping it would proceede with the ſame equitie and reſpect towards all Princes, not making difference of them. He vſed theſe words, to mocke the Pope, who had granted a little before a great Subſidie to the King of *Spaine*, to be paid by the Clergie, after he had obtained of him the ſimple *Annates*. But the Pope, ſuſpecting the petition of *Auignion*, and conſidering that the Vaſſals of that Citie were all Proteſtants, fearing it might be vſurped by the King of *Nauarre*, did preſently diſpatch thither *Fabricius Sorbellone*, with two thouſand foote, to lye there in garriſon, and gaue the gouernement thereof to *Lorenzo Lenci*, Biſhop of *Fermo*, as Vice-Legate. 1561 PIVS 4. FERDINAND ELIZABETH. CHARLES 9.

After the *Colloquie* was ended, and the Proteſtants departed, the Prelats remained to treat of the Subſidies to be giuen to the King; which the Queene thinking would giue ſuſpition to the Pope, in regard of his often complaints, aſſured him that they remained onely to conſult of the Kings debts, and that, the congregation being ended, ſhee would immediatly giue order to the Biſhops to put themſelues in a readineſſe to goe to the Councell. Notwithſtanding they treated of the Communion of the Cup, the Biſhop of *Valence*, with conſent of the Cardinall of *Lorayne*, propoſing, that if it were allowed, the proſperous courſe of the increaſe of the Proteſtants would be interrupted, in regard that many, who doe adhere vnto them, doe begin to beleeue them from this point, who would not hearken vnto them, if this were granted freely by the Church. And thoſe who vnderſtood the affaires of the world did conſider, that, by this meanes, a faction would ariſe betweene the Reformatiſts themſelues. Some few of the Biſhops thought fit it ſhould be conſtituted by the Edict, and immediately executed, ſaying that the whole Communion was not taken away by decree of the Church, but by cuſtome only, and that there is no Eccleſiaſticall decree which forbiddeth the Biſhops to returne to the former vſe. But the maior part would not conſent it ſhould

A treatie in *France* about the Communion of the Cup.

1561
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.

bee done, but by grant, or, at the leaſt, by the fauour of the Pope. Some few would not agreee to any innouation, but were forced to yeeld to the greater number. This was much vrged by *Loraine*; who, to obtaine the Popes conſent, thought it neceſſarie to gaine the fauour of the Cardinall of *Ferrara*; and to winne him the better, he perſwaded the Queene to hearken to his propoſitions, and to grant him ſomething. The Cardinall had proceeded ſo ſweetly and courteouſly with euery one, euen of the contrary religion, that hee had gained the good will of many who did oppoſe him at the firſt. And his negotiation being examined, it was granted, by a *Briefe* of the King, aduiſed thereunto by the moſt intimate of his Counſell, that the capitulations of *Orleance* concerning matter of Benefices ſhould bee ſuſpended, and that the Legat might exerciſe his *Faculties*; but ſo, as that he ſhould firſt promiſe vnder his hand writing, that he would not vſe them, and that he would be a meanes that the Pope ſhould prouide againſt all the abuſes and diſorders which are committed in the collation of Benefices, and diſpatches of the Bulls in *Rome*. Notwithſtanding the Chancelor refuſed to ſubſcribe and ſeale the *Briefe*, according to the ſtile of the kingdome; and, it being impoſſible to remooue him from his reſolution, it was ſubſcribed by the Queene, the King of *Nauarre*, and by the Principall officers of the Kingdome: wherewith the Legate was content, more regarding the preſeruation of his owne honour, then the ſeruice of him that ſent him. For this fauour, he was content to thinke well of the Communion of the Cup, and to write thereof to *Rome*; which he did with ſuch a temper, that neither the Pope nor Court were diſtaſted. In the concluſion of the aſſemblie of *Poiſie*, the Prelates granted power to the King to ſell 100000. crownes of the yeerely rents of the lands of the Church, ſo that the Pope would allow it.

Leaue is giuen to the Legat by the Kings Briefe to exerciſe his *Faculties*.

Which the Chancelor refuſeth to ſubſcribe.

The Aſſembly of *Poiſi* giueth the K. power to ſell Church lands to the valew of 100000. Crownes.

The King gaue order to his Ambaſſadour in *Rome* to make requeſt for it, ſhewing the neceſſitie and vtilitie of the grant; which the Ambaſſador did, iuſt the day before letters came to the Pope from the Card. of *Ferrara*, which gaue him an account of the difficulties ouercome, and how he had obtained a ſuſpenſion of the capitulations of *Orleance* againſt the eccleſiaſticall libertie, and leaue to vſe the *Faculties* of a Legate; which things, hee ſaid, were more hardly compaſſed, becauſe the Cardinall of *Lorayne*, from whom hee expected fauour, had oppoſed him from the beginning. And he made a full narration of the ſtate of Religion in *France*, ſhewing the danger that it would bee quite extinguiſhed, and the remedies to preſerue it; which were onely two. One, to giue ſatisfaction to the King of *Nauarre*, and to intereſt him in the defence of it. The other to grant the people generally the Communion *Sub vtraque ſpecie*; affirming that certainely, by this meanes, at the leaſt two hundred thouſand ſoules would be gayned. The Ambaſſador, in conformitie hereof, beſeeched the Pope in the name of the King, of the Church of *France*, and of the Prelates, that they might bee diſpenſed with to adminiſter to the people the Sacrament of the Euchariſt vnder both kindes, as a profitable and neceſſarie preparation, to diſpoſe them to receiue the determinations of the Councell with readineſſe, without which it is much to bee doubted that this remedie will find raw humors, which may cauſe a greater diſeaſe.

The Legat informeth the Pope that there are but two wayes to Preſerue religion in *France*.

The French Ambaſſador deſireth the Pope to grant the Communion of the Cup to the French-men.

The

1561
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

The Pope, according to his naturall diſpoſition, ſuddenly anſwered, without any premeditation, that he had euer thought that the Communion of both kinds, and mariage of Prieſts were *de iure poſitiuo*, in the diſpoſition of which things hee had as much authoritie as the whole vniuerſall Church: and therefore was thought to bee a *Lutheran* in the laſt *Conclaue*. That the Emperor had made the ſame requeſt for his ſonne, the king of *Bohemia*, whoſe conſcience did induce him to be of this opinion; and had demanded the like for the people of his patrimoniall territories, but that the Cardinals would neuer yeelde vnto it. Notwithſtanding hee ſayd hee would not reſolue of any thing without propoſing it firſt in the Conſiſtory, and promiſed to ſpeake hereof in the next; which beeing intimated for the tenth of December, the Ambaſſadour, according to the cuſtome of thoſe at whoſe inſtance any buſineſſe is handled, went in the morning while the Cardinals were aſſembled expecting the Pope, to mediate with them. The moſt diſcreete amongſt them anſwered, that the demaund did deſerue great deliberation, and that they durſt not reſolue vntill they had well conſidered of it; others were paſſionate, as at newes neuer heard of before. The Cardinall of *Cueua* ſayd, that hee would neuer giue his voice in fauour of ſuch a demand, and that if it were ſo reſolued by authoritie of his Holineſſe, and the conſent of the Cardinals, hee would goe to the top of the ſtaires of Saint *Peter*, and crie (*miſericordia*) with a loud voyce; not forbearing to ſay that the Prelates of *France* were infected with hereſie. The Cardinall Saint *Angelo* anſwered, that hee would neuer giue a *Cup* full of ſuch deadly poyſon to the people of *France*, in ſtead of a medicine, and that it was better to let them die, then cure them with ſuch remedies. To whom the Ambaſſadour replied, that the Prelates of *France* were induced to bee of this opinion with good grounds, and Theologicall reaſons, which deſerued not ſuch a contemptuous cenſure; and, on the other ſide, that it was not fit to giue the name of poyſon to the Blood of CHRIST, and to call the holy Apoſtles poyſoners, and the Fathers of the Primitiue Church, and of that which followed for many hundreds of yeeres, who, with much ſpirituall profit, haue miniſtred the Cup of that blood to all the people.

Who giueth a fauourable anſwere.

The Pope, being entred into the Conſiſtory, hauing diſcourſed with ſome Cardinals, and better thought of the buſineſſe, wiſhed hee had been able to recall his word. Notwithſtanding hee propoſed the matter, related the Ambaſſodours inſtance, cauſed the Legats letter to bee read, and demanded their opinions. The Cardinals who were dependants on *France*, commended with diuers formes of words the Kings intention, but, concerning the requeſt, referred themſelues to his Holineſſe. The Spaniards did all oppoſe, and vſed great boldneſſe of ſpeach, ſome calling the Prelates of *France* heretiques, ſome ſchiſmatiques, and ſome vnlearned, alleadging no reaſon but that all CHRIST is in both the kinds. The Cardinal *Pacceco* conſidered that all diuerſities of rites, eſpecially in the moſt principall ceremonies, doe end with ſchiſme and hatred. For now the Spaniards in *France* goe to the French Churches, and the French men in *Spaine* to the Spaniſh; but when they ſhal communicate ſo diuerſly, one not receiuing the Communion of the other, they will be forced to make Churches apart; and ſo behold a diuiſion.

For which afterwards hee was ſory.

1561
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

Friar *Michael*, Cardinall of *Alexandria*, sayd, that it could not by any meanes be granted by the Pope *de plenitudine potestatis*, not for want of authoritie in him ouer all which is *de iure positiuo*, in which number this is, but in regard of the incapacitie of him that demaundeth the fauour. For the Pope cannot giue power to doe euill; but it is an hereticall euill to receiue the chalice, thinking it to bee necessary; therefore the Pope cannot grant it to such persons. And it cannot bee doubted but that those who demand it doe iudge it necessary, because no man maketh any great matter of indifferent ceremonies. Hee said that these men doe hold the Chalice either to bee necessary, or not: if not, why doe they giue scandall, by making themselues differ from others? if otherwise, then they are heretiques and vncapable of the *grace*. The Cardinall *Rodolpho Pio di Carpi*, who was one of the last that spake, because the inferiours doe begin, concluded in conformitie with the others, that not onely the sauing of two hundred thousand soules, but one onely was a sufficient cause to dispence with any positiue law, with wisedome and maturitie; but in that proposition one ought to take heede, lest, thinking to gaine two hundred thousand, hee lose two hundred millions. That it was manifest, that this would not bee the last demand of the French men in matter of religion, but a step to propose another; that afterward they will demand the marriage of Priests, the vulgar tongue in the ministery of the Sacraments: which will haue the same ground, because they are *de iure positiuo*, and must be granted for the preseruation of many. Of the marriage of Priests this inconuenience will follow, that hauing house, wife, and children, they will not depend on the Pope, but of their Prince, and their loue to their children will make them yeeld to any preiudice of the Church. They will seeke also to make the benefices hereditary; and so in a short space, the authoritie of the Apostolike Sea will be confined within *Rome*. Before single life was instituted, the Sea of *Rome* receiued no profit from other nations and Cities, and, by it, is made patron of many Benefices, of which mariage would quickly depriue her. Of the vulgar tongue this inconuenience would follow, that all would thinke themselues Diuines, the authority of Prelates would be disesteemed, and all would become heretiques. If the communion of the Chalice were granted, so that faith were preserued, it would bee of small importance; but it would open a gate to demand an abrogation of all positiue constitutions, by which only the prerogatiue, giuen by CHRIST to the Church of *Rome*, is preserued, for by those which are *de iure diuino* no profit doth arise, but that which is spirituall. For these reasons it is wisedome to oppose the first demand, not to be bound to grant the second and all the rest.

The inconuenience of the mariage of Priests.

The inconuenience of the vulgar tongue

The inconuenience of the communion of the Cup.

The Pope resolueth not to grant ỹ Cup to the French men.

The Pope, principally for these causes, did resolue negatiuely; and, to make his resolution the lesse grieuous, he caused the Ambassadour to be perswaded to desist of his owne accord, who not consenting, hee caused him to bee intreated, that, at the least, hee would prosecute it gently, in regard it was impossible to yeelde vnto him, for feare of aliening all the Catholiques. The Ambassador still proceeding, the Pope first put him off with delay, and, in conclusion, answered, that howsoeuer he could, yet he ought not to yeeld to his request, because the Councel was at hand, vnto which as hee had referred the Emperours petition, so hee would doe that of *France*, and, to gratifie

tifie the King, would handle that article first of all, and so dispatch it in as little time as would be requisite to grant the grace with maturity. The Ambassadour repeating this instance in euery audience, the Pope added, that he was sure all the Prelates did not make that request, because the maior part in the Congregation did resolue not to speake of it, saying that the name of the Prelates of *France* was vsed, whereas the motion proceeded but from a few, and those incited by others, meaning the Queene; against whom hee bare a secret grudge, for the letter she wrote vnto him the 4. of August.

1561
Pivs 4. Ferdinand. 1.
Elizabeth Charles 9.

At the same time when the petition of the French Prelates was published in *Rome*, newes came out of *Germany*, that the same men had sent to the Protestants there, to perswade them to perseuere in their doctrine, promising to fauour them in the Councel, and to draw other Prelates to doe the like. This was diuulged in *Trent* also, and caused the French-men to haue but small reputation, both there amongst the Italians, and in the Court of *Rome*, where they were esteemed to be men of an vnquiet spirit, and desirous of innouation. And it was said (as suspitions doe alwaies adde some thing) in regard of the disputes which that Nation hath euer had with the Court of *Rome*, in very important articles, and of the present accidents, that certainely they would goe to the Councel, with no other ayme, but onely to cause troubles and innouations. The Ambassador, that the popular rumor against his Nation might not make an impression in the Popes minde, was willing to secure him; who perswaded him ironically not to trouble himselfe, because it was not likely, nor could he beleeue, that so small a number as are the French-men, could thinke of so great enterprises; and, if they did, that they should finde many Italians who would oppose them. But he said, he was displeased that they had hindered the Councel, which was assembled for their sakes onely; which shewed but small care in them to cure that sicknesse, whereof they complaine; adding that hee was resolued to open the Councel, either with them, or without them, and to prosecute and dispatch it; and that his Legates and a great number of Bishops had beene many moneths in *Trent* already, to their great trouble and charge, not able to doe any thing, while the Prelates of *France* doe so deliciously prouide for their ease at home.

The French Prelates are suspected in *Trent*, and *Rome*.

The Popes expences in the Councel.

In conformity heereof, hee did recapitulate in Consistory the instances, and causes, for which hee had, iust a yeere since, intimated the Councel, by aduice of them the Cardinals; the difficulties which he incountred, and ouercame, in perswading the Princes, who were of contrary opinions to accept the Bul; his diligence in sending presently the Legates, and those Prelates with whom hee was able to preuaile, either with perswasions, or commands; that all is already prepared by him onely, seuenth moneths since, and is so chargeable to him, that, amongst officers and poore Prelates, the Apostolique Sea doth spend aboue three thousand crounes a moneth, and that experience sheweth that delay doth bring on more expence; that the Dutch men doe inuent some thing euery day, to oppose against this holy and necessary worke; that heresies doe encrease in *France*, and some Bishopes are almost become rebellious, by making an absurd petition for the Cup; which they doe with such violence, that the greater number, who are good Catho-

1561
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.

liques, are forced to yeelde; that all Princes haue appointed Ambaſſadours, that there are ſo many Prelates in *Trent* already, that they are not onely ſufficient to beginne the Synod, but are more then were in any of the two former conuocations thereof; and that nothing remained but to beginne, without expecting any longer. The Cardinals hauing conſented heereunto, and commended his reſolution, hee ioyned two Legates more to the three former, *Ludouicus Simoneta*, a great Canoniſt, who had paſſed through all the offices of the Court, and *Marcus di Altemps*, his ſiſters ſonne. He commanded the former to depart preſently, and not to tary any where in the iourney, and, ſo ſoone as he came to *Trent*, to cauſe the vſuall ceremonies to be made, and the *Maſſe* of the holy Ghoſt to bee ſaid for a beginning of the Councel. He ſaid afterwards that the Synod was to continue ſtill, not to terminate in ſuſpenſions, or tranſlations, as formerly it did, with notorious preiudice and danger, but to haue an abſolute end. For effecting whereof, there was no neede to ſpend many moneths, in regard the moſt important points were already determined, and the reſidue was ſo ſet in order, by diſputations and examinations vnder *Iulius*, that ſcarce any thing remayned but publication; ſo that all would be diſpatched in a ſhort time.

Two Preſidents more are appointed for the Councel.

Simoneta arriued in *Trent* the ninth of December, and, at his entry, ſaw a great fire riſe out of the earth, which paſſed ouer the City, like vnto a falling ſtarre, but onely in bigneſſe; whereof idle perſons, of which number there were many, made diuers pronognoſtiques, ſome preſaging good, and ſome hurt, which would bee a vanity to recount. The Cardinall found letters written after his departure, that he ſhould expect a new commiſſion to open the Councel. The Pope compelled ſome Biſhops who were at Court at the time of his departure, to goe with him; ſo that the number of all, beſides the Cardinals, was 92.

The number of the Prelats in *Trent*.

The *Nuncio*, reſident in *France*, returned to *Rome* in the beginning of December; who hauing related the ſtate of that Kingdome, the Pope wrote to the Legate that he ſhould repreſent to the Kings Counſel, that the Councel was to be celebrated for *France* onely, becauſe neither *Italy*, nor *Spaine* had need of it, and *Germany* did refuſe it; and tell them that therefore it did concerne them to promote it; a thing neglected by them, but performed by him, in regard of his fatherly affection; and that the Legates being in *Trent* already, and many of the Italian and Spaniſh Prelates, and the reſt in their iourney, they ſhould immediately ſend an Ambaſſadour, and their Biſhops. Beſides, he commanded the Legate to vſe all diligence to hinder the preaching and aſſembling of the Proteſtants, and to encourage the Diuines, giuing them *Indulgences*, and ſpirituall *graces*, and promiſing them temporall aſſiſtance alſo; but that himſelfe ſhould, by no meanes, be preſent at the ſermons of the Proteſtants, and auoid all banquets where any of them were in company.

The Pope writeth to his Legate in *France*.

At the ſame time two *Polonian* Prelats came to *Trent*; who, hauing viſited the Legats, and ſhewed the deuotion of their Church to the Sea of *Rome*, related how the Lutherans attempted to bring their doctrine into that kingdome, and the foundations which were already laid in ſome parts; to oppoſe whoſe plots the Biſhops were alwaies to be vigilant: that they were all

Two Polonian Prelates come to *Trent*

deſirous

desirous to assist in the Councell, and to promote the common cause; which not being able to doe, for the cause aforesaid, so important and necessarie, they had sent their Proctors, to giue voyce, as if the Prelats were present. And they demanded to haue as many voyces as they had commissions from the Bishops, who, for lawfull causes, could not part out of the kingdome. The Legats answered in generall termes, meaning to resolue with mature deliberation: and the Pope, whom they had aduised hereof, proposed it in Consistorie; where the Cardinals, without difficultie, concurred in the negatiue, because it was determined before that the resolutions should be made as formerly they had beene, by plurality of voyces, and not by Nations. Which was the rather thought to be necessary, because there was a fame that the French-men, though Catholikes, came with *Sorbonicall* and *Parlamentarie* minds, fully bent to acknowledge the Pope no further then they pleased. And it was knowen before, that the *Spaniards* had some humour to subiect the Pope to the Councell; and the Legats had often sent aduise from *Trent*, that some bad ambitious humours, to enlarge the Episcopal authoritie, were discouered; and, in particular, the *Spaniards* did propose that it was necessary to restraine the authority of the Pope, at the least so farre, as that he might not derogate from the decrees of this Councell, saying, that, otherwise, the labour and cost would be all in vaine, if, for small causes, and sometimes without any, he might dispense with them, as he daily doth with all the Canons. The Cardinals saw no other meanes to oppose these attemps, but by sending a great number of *Italian* Prelats, who, being vnited together, will ouercome all the *Vltramontans*. And this remedie would be to no purpose, if the voyces of the absent were admitted. For the Spaniards and French-men would cause all their Bishops to send proxies, and it would be as much as to giue voyces, not by heads, but by Nations.

Therefore it was written to *Trent*, that they should make large promises to the *Polonians*, but conclude, that the Councell was a continuation, and the same which was begun vnder *Paulus* the third, so that the orders then practised, and continuately kept, with good fruit, as did appeare, must be still obserued; amongst which one was that the absent should haue no vpyce; with which if they did dispence, all other Nations would pretend the like, with much confusion; that whatsoeuer request *Polonia* did make, for any thing that was proper to it selfe, and would not raise any stirres in other Countries, should be granted, in regard of the merits of that most noble Nation. The *Polonians* seemed to be satisfied with the answere, yet pretending businesse at *Venice*, they departed, and returned no more.

A letter which the King of *Spaine* wrote with his owne hand, caused much ioy in *Rome*; in which he aduertized the Pope of the negotiation of *Montbrun*, sent vnto him by the Queene of *France*, and of the answer which he gaue him, promising to assist his Holinesse to purge Christendome of heresie, with all the forces of his Kingdomes & States, and to send potent and speedy aydes to any Prince that would cleanse his Countrey of that contagion. But the bad conceipt which the Court had of the French-men was increased, by an aduise sent from *Paris*, that the Parliament had, with much solemnitie, condemned to recant one *Iohn Tancherel*, a Batcheler of Diuinity,

1561

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

Who desire to haue as many voices as they haue commissions from the Bishops. Their request is sent to *Rome*; where it was reiected for feare of dangerous consequences.

The deseignes of the French, and Spanish Prelats are suspected.

For which cause ỹ Pope resolueth to send many Italian Prelats to *Trent*, to make a maior part.

The *Polonian* Prelats seeme to be satisfied with a courteous negatiue, but depart, & returne no more.

Iohn Tancherel is condemned by the Parliament of *Paris* for defending in ỹ schooles, that the Pope may depose Kings.

1561 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

ty, becauſe, with intelligence of ſome Diuines, he had propoſed and defended publike queſtions, that the Pope, *Vicar* of CHRIST, is Monarch of the Church, and may depriue Kings and Princes, who diſobey his commandements, of their Kingdomes, States, and Dignities; who being accuſed, cited, and hauing confeſſed the fact, did fly, and the iudges, as in a Comedy, cauſed the Bidel of the Vniuerſitie to repreſent his perſon, and to make a publike ſatisfaction, and recantation, forbidding the Diuines to diſpute ſuch queſtions hereafter, making them go to the King to aske pardon for hauing ſuffered ſo important a matter to be diſputed on, and to promiſe to oppoſe themſelues alwaies againſt that doctrine. They ſpake of the Frenchmen as of loſt ſheepe, who denied the authoritie giuen by CHRIST to S. *Peter*, to *feede the whole flocke*, and *to looſe and binde*, which doth conſiſt principally in puniſhing the delicts which giue ſcandall, or offence againſt the Church in common, without difference of Prince or ſubiect. The examples of the Emperours, *Henry* the fourth and fifth, *Frederic* the firſt and ſecond, and *Lewis* of *Bauaria*, of the Kings of *France*, *Philippus Auguſtus*, and *Pulcher*, were alledged; as alſo the famous ſayings of the Canoniſts in this point: they ſaid the Pope ought to cite the whole Parliament to *Rome*; and that the concluſion of that Diuine ought to be ſent to *Rome* alſo, to be examined before any thing elſe were done, and approoued, and the contrary condemned. The Pope did moderately complaine hereof, and thought it better to diſſemble, becauſe, as hee ſaid, the great ſore of *France* did make this inſenſible.

For which the French-men are much cenſured in *Rome*.

But the Pope diſſembleth his diſtaſte.

The Court was perſwaded, that neither Ambaſſadour nor Biſhop would be ſent out of *France* to *Trent*, and diſcourſed what was fit for the Pope to do, to force them to accept the determinations of the Councell, which the Pope was, by all meanes, reſolued to open, at the beginning of the new yere. He imparted this determination to the Cardinals, exhorting them to conſider, that it did not ſtand with the honor of the Apoſtolike Sea, nor of that Colledge, to receiue rules and reformations from others, and that the condition of the times, when all cry out for reformation, not vnderſtanding what it is, did require, that, in regard of the glorious name thereof, it ſhould not be refuſed; that, in this contrarietie of reaſons, the beſt temper was, to make, by way of preuention, a reformation of his owne accord; which would not ſerue to that purpoſe onely, but win commendations alſo, by making himſelfe an example to others; that, for this cauſe, hee would reforme the *Penitentiarie* and *Daterie*, principall members of the Court, and afterwards conſider of ſmaller matters: and he deputed Cardinals for one and the other charge. He diſcourſed of the cauſes why the opening of the Councel could no longer be deferred. For it being diſcouered that the *Vltramontans* haue bad ends and diſſeignes, to abate the abſolute power which GOD hath giuen to the Pope of *Rome*, the more time they haue to thinke on it, the more their plots will encreaſe; and that there is danger, that, by time, ſome of the *Italians* may be gained alſo; that therefore it is the ſafeſt way to vſe expedition, and that if the great expenſes, which are made in maintaining the Prelats, be not quickly ended, the Apoſtolike Sea will not be able to beare them. Afterwards he gaue the croſſe of the Legation to the Card. *Altemps*, with order to

The Pope promiſeth to make a reformation in the Court.

And haſteneth the opening of the Councell.

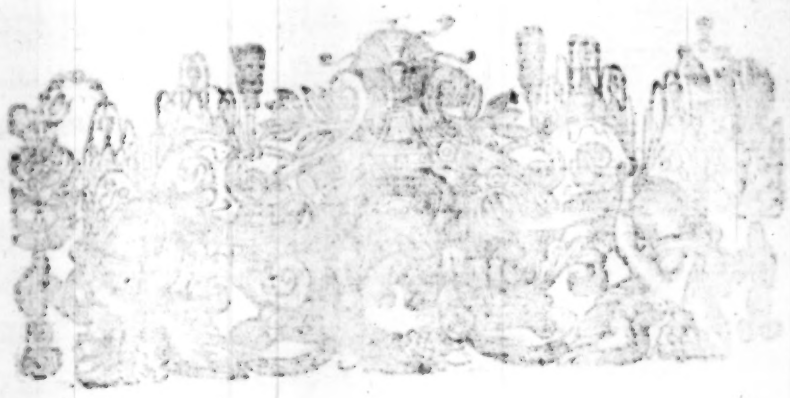
put

put himſelfe in readineſſe, and to bee in *Trent* at the opening of the Councell, if it were poſſible. The cauſe why he reuoked the order, giuen at the departure of Cardinall *Simoneta*, to open the Councell at his arriuall, was the inſtance of the Emperours Ambaſſador in *Rome*, that the Ambaſſadors of his Maſter might be preſent at it. But afterwards hauing aduertized his Holineſſe, that they would be in *Trent* before the midſt of Ianuary, he earneſtly entreated the Marquis of *Peſcara*, whom the King of *Spaine* had ſent Ambaſſadour to the Councell, to be in *Trent*, and aſſiſt at the opening of it. He ſolicited the *Venetians* alſo to ſend their Ambaſſage, being carefull that that ceremonie ſhould paſſe with reputation. Notwithſtanding, he wrote to the Legats to open the Councell ſo ſoone as the Ambaſſadors of the Emperour, and of the forenamed Princes were arriued, and that, if they came not by the middeſt of the moneth, they ſhould deferre it no longer. And in this coniuncture the yeare 1561. did end.

(***)

1561
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

THE



THE

1562

Pivs 4. Ferdinand.

Elizabeth. Charles 9.

THE SIXT BOOKE OF THE HISTORY OF THE COVNCELL OF TRENT.

HE Legats, in conformitie of that which the Pope had last commanded, the fifteenth of Ianuary made a generall Congregation; in which the Cardinall of *Mantua*, as prime Legat, made a discourse, to shew how necessarie and fit it was to open the Councell, and exhorted the Prelates to promote so sacred and pious a worke, with fastings, almes, and frequent Masses. Afterwards the Bull of the Legation was read, dated the tenth of March; which was in generall termes, with the vsuall clauses: that hee sent them, as Angels of peace, to preside in the Councel, which was to begin at Easter. After this, three other *Brieues* were read. The first dated the fifth of March, and was a facultie to the Legates to giue leaue to the Prelates and Diuines to reade, during the time of the Councell, bookes prohibited. The second dated the three and twentieth of May, that the Legats should haue *facultie* to absolue those who would secretly abiure for cause of heresies. The third was dated the last of December, in which the Pope, to take away all controuersie which might happen betweene the Prelats about precedencie, doth command, that the Patriarkes should haue the first place, the Archbishops the second, and the Bishops the third, regarding onely the time of the promotion, not the dignitie of the Sea, or of the Primacie, whether true or pretended.

A generall congregation is held the 15. of April; in which 2. great controuersies did arise.

This being read, Friar *Bartholomew de Martiri*, Archbishop of *Braga* in *Portugal*, exclaimed that the Councell should begin with doing iniurie to the principall Churches of Christendome, saying that his Sea, which had the Primacie of *Spaine*, should, by this sentence, be made inferiour, not onely to three Archbishopricks, subiect vnto him, but also to the Archbishop of *Rosano* who hath no Suffragan, and to the Archbishops of *Nissia* and *Antiuari*, who

One about precedence of the Prelates.

1562
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.

who haue not any reſidencie, and ſcarce any Chriſtians to gouerne; that it is not equitable to make one law for ones ſelfe, and another for others, and to pretend the preſeruation of ones owne right, and to depriue others of theirs. He ſpake ſo earneſtly, that the Legats were troubled, and did hardly pacifie him, though they cauſed a declaration to be written, that the Popes meaning, and theirs was, that no man ſhould gaine or looſe any right by that Decree, neither in proprietie, nor in poſſeſſion, but that euery Primate, whether true or pretended, ſhould, after the Councell, remaine in the ſame ſtate in which he was before. The Archbiſhop being with much adoe appeaſed, the other Spaniards made requeſt, that the opening of the Councell might be declared to be a continuation of that which was begun vnder *Paul*, and proſecuted by *Iulius*, leſt any one might cauill, that it was a new Councell. The Biſhop of *Zante*, who had beene in *Germanie*, and knew how that action would be calumniated, and how diſtaſtfull to the Emperour, replied, that as the things already determined ought not to be queſtioned, but holde as decided, ſo to declare ſo much now without neceſſitie, would cut off all hope from the Emperour and French King to finde ſuch a coniuncture, as that the Proteſtants would ſubmit themſelues to the Councell, and aſſiſt in it. The Legats, eſpecially *Mantua* and *Varmienſe*, did ſecond the opinion of the Biſhop with many diſcourſes, and much was ſpoken on both ſides very bitterly, and the Spaniards ſaid they would proteſt and returne: yet, after many conſultations, they finally agreed to deſiſt from their inſtance, not to oppoſe the Emperour, the French King, the Dutchmen, and Frenchmen, nor to giue matter of complaint to the Proteſtants, ſo that no words were vſed to ſignifie it was a new Councell, or to preiudice the continuation. The Cardinals promiſed, in the Popes name, that his Holineſſe would confirme whatſoeuer was done in *Trent*, in the two precedent Councels, though this were diſſolued without concluſion. The Spaniards were content: and after long diſcourſing, it was concluded, that a forme of words ſhould be vſed to ſignifie, that the Councell did begin to be celebrated, all ſuſpenſion being remooued; which though they were ambiguous, and might be drawen to contrary ſences, yet being ſufficient to compoſe the preſent difference, they were receiued; and they concluded to open the Councell the next Sunday, being the eighteenth of the moneth. In the end the Cardinall propoſed, that the Councell being begun, the Prelates ſhould frequent the publique Chappels in the time of Maſſe, and that there ſhould be many Latine Sermons, which being to be made ſometimes by men that know not what doth befit the time, place, and auditorie, that it were good to depute a Prelate, who, as Maſter of the holy Palace in *Rome*, ſhould reuiew that which was to bee ſpoken, and ſo the Sermon to bee repeated, according to his cenſure. The propoſition pleaſed them all; and *Egidius Foſcararus*, Biſhop of *Modena*, was appointed to peruſe euery Sermon, and whatſoeuer elſe was to be deliuered in publique.

Another whether this Conuocation of the Councell ſhould be a continuation of the olde, or a new Councell.

A decree for opening the Councell.

The Biſhop of *Modena* is appointed to peruſe whatſoeuer is to be deliuered in publique.

The Congregation beeing diſſolued, the Legates, by the helpe of their inward friendes, beganne to frame the Decree, and did conceiue it in the forme agreed on; and obſeruing diuers treaties amongſt the Prelates, while they were idle in *Trent*, to propoſe ſome one prouiſion, ſome another, all

tending

1562

Pivs 4. Ferdinand.

Elizabeth. Charles 9.

tending to inlarge the authority of the Bishops, and diminish that of *Rome*, they thought to remedie all in the beginning, before the humour beganne to stirre, by decreeing that none, but the Legats, might propose any matter to bee discussed. They saw the proposition was hard, and foresaw contradiction; therefore they thought it necessarie to vse much Art, that it might be receiued sweetly, and at vnawares. The negatiue, that none should propound, seemed hard and sharpe, and the affirmatiue, that the Legats should propound, which did virtually onely, and not plainely containe an exclusion of others, did please better, couering all with a pretence of keeping order, and giuing time of deliberation to the Synod. The Decree was so artificially made, that, euen at this present, one must be very attentiue, if hee will discouer the sense, and it is impossible to vnderstand it at the first; which I will rehearse in vulgar, in plaine termes; but he that will see the Artifice, let him reade it in Latin.

Why the Legats desire to make a Decree that none should propose any thing in Counceil, but themselues.

Therefore, in conformitie of the resolution, when the eighteenth day was come, a procession was made of the whole Clergie of the Citie, of the Diuines and Prelates, who, besides the Cardinals, were one hundred and twelue, that did weare *Miter*, accompanied by their families, and by many Countrey people armed, going from Saint *Peters* Church, to the Cathedrall; where the Cardinall of *Mantua* sang the Masse of the holy Ghost, and *Gaspar o del Fosso*, Arch bishop of *Rheggio*, made the Sermon. His subiect was the authoritie of the Church, Primacie of the Pope, and the power of Councels. He said that the Church had as much authoritie as the word of God; that the Church hath changed the Sabbath, ordained by God, into Sunday, and taken away Circumcision, formerly commanded by his Diuine Maiestie, and that these Precepts are changed, not by the preaching of CHRIST, but by the authoritie of the Church. Turning himselfe to the Fathers, hee exhorted them to labour constantly against the Protestants, being assured that, as the holy Ghost cannot erre, so they cannot be deceiued. And the *Veni Creator spiritus* being sung, the Secretarie, who was Bishop of *Tiless*, read the Bull of the Conuocation, before alleadged; and the foresaid Arch-bishop interrogated the Decree for opening the Councell; saying, Fathers, doth it please you that the generall Councell of *Trent* should be celebrated from this day, all suspension whatsoeuer being remooued, to handle, with due order, that which shall seeme fit to the Synod, the Legats and Presidents proposing, to remoue the controuersies of religion, correct manners, and reconcile the peace of the Church? They answered; *Placet*. Onely foure Prelats contradicted that part, *Proponentibus Legatis*: which wordes I repeat in Latin because they must bee often mentioned, in regard of the great controuersies and disputes which followed. The contradictors were *Peter Guerrero*, Arch-bishop of *Granata*, *Francesci Bianco*, Bishop of *Orense*, *Andreas della Questa*, Bishop of *Leon*, *Antonio Colormero*, Bishop of *Almeria*. They said they could not consent, because they were new wordes, neuer vsed in any Councell, and demanded that their voyces might bee registred in the actes of the Councell. No answere was giuen them, and the next Session was intimated for the sixe and twentieth of Februarie. The Speaker of the Councell required all the *Notaries* and *Protonotaries* to make

The solemnities of the first Session, in which the Councel was opened.

The words, *Proponentibus Legatis*, were much questioned.

1562
Pivs 4.
Ferdinand
Elizabeth.
Charles 9.

one or more instruments of the things aforesayde; and so the Session ended.

The Legates aduised the Pope of what happened in the Congregation, and Session, who imparted it to the consistorie. In which many were of opinion, in regard of these first difficulties, that the Councell would not proceed well, especially considering the obstinate contradiction of the Spanish Bishops not fit to compose the differences of religion, although the Legates and Bishops of *Italie* should vse Arte, and vnitie, in temporizing and ouercomming them. The Pope commended the wisedome of the Legates, that they had preuented, as hee saide, the temeritie of the innouators; and was not displeased with the opposition of foure, because he feared a greater number; hee exhorted the Cardinals to reforme themselues, seeing they had to doe with vnrespectfull persons, giuing order that the other Italian Bishops should bee solicited to depart. And hee wrote to *Trent* that they should maintaine the Decree firmely, and put it in execution, without relenting one iot.

Which the Pope wil haue to be maintained by all meanes.

In *France* the Queene of *Nauarre*, Prince of *Condè*, Admirall, and Dutchesse of *Ferrara*, hauing many moneths made request that places should be allowed to those of the new religion, for their Sermons and ceremonies, and all these, and many Grandies more, euen in the Court it selfe, making profession thereof, the inferiour Reformatists, imbouldened heereby, did assemble themselues a part; which the Catholikes not being able to support, very dangerous popular tumults were raised in many parts of the Kingdome, with slaughter on both sides; which were cherished by the Nobilitie of the Catholikes, enuying that the *Hugonot* Princes, gayning a popular traine, should exceede them. Two diuerse tumults were raised by Sermons; one in *Dijon*, and the other in *Paris*; notorious not only for the death of many, but also for the rebellion against the Magistrates; which made the Kings Councell resolue to seeke a remedie; and, that it might be fitted to the whole kingdome, the Presidents of all the Parliaments were called, and a number of Counsellors elected to deliberate with maturitie what was best to be done. The seuenteenth of Ianuary, all those being assembled in Saint *German*, the Chancelor declared in the Kings name, that they were called to consult how to remedie the stirres raised in the Kingdome. Hee made a recapitulation of all the things that hapned, adding that the differences of religion should be referred to the Prelates, but when the peace of the kingdome, and keeping of the Subiects in obedience to the King is in question, that this could not belong to the Ecclesiastikes, but to those whom the King would appoint to consult of it. That hee had euer commended *Tulli*, who was wont to blame *Cato*, that, liuing in a most corrupt age, was so seuere and rigid in his determinations, as if he had beene a Senator in *Plato* his Common-wealth. That lawes were to bee fitted to the time and persons, as the shooe to the foote. That this particular was then to bee consulted of, whether it were good seruice for the King to permit or prohibit the congregations of the Protestants; wherein they were not to dispute which religion was the better, because they tooke not in hand to frame a religion, but to put in order a Republique; and that it was not absurd to say, that many might bee good

Tumults in *France* about religion.

Citizens,

Citiſens, and not good Chriſtians, and that thoſe who were of diuers religions might liue in peace. 1562

Pivs 4. Ferdinand. Elizabeth. Charles 9.

In conſulting hereof the opinions were diuers: but they preuailed who thought that the *Edict of Iuly* was to bee remitted in part, and the Proteſtants to haue leaue to preach. At the making of the *Edict*, which contained many points, the Cardinals of *Borbon*, *Tornon*, *Chaſtillon* were preſent, as alſo the Biſhops of *Orleans* and *Valence*. That the Proteſtants ſhould reſtore the Churches poſſeſſions, and other Eccleſiaſticall goods vſurped. That they ſhould forbeare to beate downe Croſſes, Images, and Churches, vpon paine of death. That they ſhould not aſſemble themſelues to preach, pray, or adminiſter the Sacraments, in publique or in priuate, by day or by night, within the Citie. That the prohibitions, and puniſhments of the *Edict of Iuly*, and all others made before ſhould bee ſuſpended. That they ſhall not be moleſted in their Sermons made out of the Citie, or hindered by the Magiſtrates, who ought to protect them from iniurie, chaſtiſing the ſeditions on both ſides. That none ſhall ſcandalize another for religion, or vſe contumelious words of faction. That the Magiſtrates and officers may be preſent at the Sermons, and Congregations. That they ſhall not make Synods, *Colloquies*, or Conſiſtories, but with leaue, and in preſence of the Magiſtrate. That they ſhall obſerue the lawes for feaſts, and degrees prohibited for mariage. That the Miniſters ſhall bee bound to ſweare to the publique officers, not to offend againſt this *Edict*, nor to preach any doctrine contrary to the *Nicen* Councell, and the bookes of the new and old Teſtament. The Parliament could hardly bee brought to accept of this *Edict*. Therefore the King did command againe, that it ſhould bee publiſhed, adding that it was to bee vnderſtood to bee made by way of prouiſion, vntill the determinations of the generall Councell were diuulged, or the King ordaine otherwiſe, not meaning to allow two religions in his Kingdome, but that onely of the holy mother the Church, in which himſelfe and his predeceſſours haue liued. The Parliament beeing not agreed for all this, the King commanded, that, laying aſide all delayes and difficulties, the ordination ſhould bee publiſhed. And ſo it was the ſixth of March, with this clauſe, that the Parliament did verifie the Kings letters to obey him, conſidering the ſtate of the times, not to approoue the new religion, but onely by way of prouiſion, vntill it bee otherwiſe ordained by the King.

For appeaſing of which an *Edict* is made, March 6.

But to returne to *Trent*, in the Congregation held the ſeuen and twentieth of Ianuary the Legates made three propoſitions. The firſt, to examine the bookes written by diuers authors, ſince the hereſies began, together with the cenſures of the Catholiques againſt them, to determine what the Synode ſhould decree concerning them. The ſecond, that all that are intereſted in that matter, ſhould bee cited by decree of the Synod, leſt they complaine that they haue not beene heard. The third, that a ſafe conduct ſhould bee giuen to thoſe who are fallen into hereſie, with a large promiſe of great and ſingular clemencie, ſo that they will repent, and acknowledge the power of the Catholique Church. And order was giuen that the Fathers, hauing conſidered on the propoſitions, ſhould deliuer their opinions in the next Congregation, as well how to examine with eaſe the bookes and cen-

Three propoſitions in the Congregation of the 27. of Ianuary.

1562 Pius 4. Ferdinand. Elizabeth. Charles 9.

sures, as concerning all the rest. And Prelates were deputed to examine the *Mandats* and excuses of those who pretended they could not come to the Councell.

A discourse of the author cõcerning the prohibition of bookes.

This place doth require a relation of the beginning of prohibiting bookes, and with what progresse it was come to that state in which it then was, and what new order was then taken. In the Church of Martyrs there was no Ecclesiasticall prohibition, though some godly men made conscience of reading bad bookes, for feare of offending against one of the three points of the Law of God, to auoid the contagion of euill; not to expose ones selfe to temptation, without necessitie or profite; and not to spend time vainely. These Lawes, beeing naturall, doe remaine alwayes, and should oblige vs to beware of reading bad bookes, though there were no Ecclesiasticall law for it. But these respects ceasing, the example of *Dionysius*, Bishop of *Alexandria*, a famous Doctor, did happen, who about the yeere of our Lord 240. being reprehended by his Priests for these causes, and troubled with these respects, had a vision that hee should reade all bookes, because hee was able to iudge of them. Yet they thought there was greater danger in the bookes of the Gentiles, then of the heretiques, the reading whereof was more abhorred and reprehended, because it was more vsed by Christian Doctors for a vanitie of learning eloquence. For this cause S. *Hierom*, either in a vision, or in a sleepe, was beaten by the Deuill; so that about the yeere 400. a Councell in *Carthage* did forbid to reade the bookes of the Gentiles, but allowed them to reade the bookes of the heretiques; the Decree whereof is amongst the Canons, collected by *Gratian*. And this was the first prohibition by way of Canon: but there are others, by counsell of the Fathers, to bee regulated according to the Law of God, before recited. The bookes of heretiques, containing doctrine condemned by Councels, were often forbid by the Emperours for good gouernement. So *Constantine* forbad the bookes of *Arrius*; *Arcadius* those of the *Eunomians*, and *Maniches*; *Theodosius* those of *Nestorius*: *Marcianus* those of the *Eutycheans*; and in *Spaine* the King *Ricaredus*, those of the *Arrians*. It sufficed the Councels and Bishops to shew what bookes did contain damned or apocryphall doctrine. So did *Gelasius* in the yeere 494. and went no further, leauing it to the conscience of euery one to auoide them, or reade them to a good end. After the yeere 800. the Popes of *Rome*, as they assumed a great part of the politique gouernement, so they caused the bookes, whose authors they did condemne, to bee burned, and forbad the reading of them. Notwithstanding one shall finde but few bookes forbid in that sort, vntill this age. A generall prohibition of reading bookes containing doctrine of heretiques, or suspected of heresies, vpon paine of excommunication, without any further sentence, was not vsed. *Martinus* 5. doth in a Bull excommunicate all the Sects of heretiques, especially *Wiglefists*, and *Hussites*, not mentioning those who read their bookes, though many of them went about. *Leo* the tenth condemning *Luther*, did withall forbid all his bookes, vpon paine of excommunication. The Popes following, in the Bull called *In Cœna*, hauing condemned and excommunicated all heretiques, did excommunicate those also who reade their bookes: and, in other Buls against heretiques in generall, did thunder the same censures, against the readers

ders of their bookes. This did rather breed a confusion. For the heretikes not being condemned by name, one was to iudge of the bookes more by the qualitie of the doctrine, then by the name of the authors; wherein diuers men beeing of diuers opinions, many scruples of conscience did arise. The *Inquisitors*, being more diligent, made Catalogues of those which they knew, which, not being conferred, were not sufficient to remoue the difficulties. *Philip*, King of *Spaine*, was the first that gaue a more conuenient forme, in the yeere 1558, making a Law that the Catalogue of bookes prohibited by *Inquisition* should be printed. 1562. Pivs. 4. Ferdinand. Elizabeth. Charles. 9.

According to this example *Paul* 4. also ordayned, that an *Index* should be composed by that office, and printed; and so it was in the yeere 1559. in which they did proceed many steps further then formerly they had done, and laid foundations to maintaine and make great the authority of the Court of *Rome*, by depriuing men of that knowledge, which is necessary to defend them from vsurpations. Vntill that time they contayned themselues within the tearmes of the bookes of the heretiques, neither was there any booke forbidde, if the author were not condemned. This *Index* was diuided into three parts. The first conteyneth the names of those, all whose workes, of what argument soeuer, though prophane, are forbidden: and in this number are placed not onely those who haue professed doctrine, contrary to that of *Rome*, but many also who liued and died in the profession thereof. The second conteyneth the names of the bookes which are particularly condemned, others of the same authours not beeing condemned. In the third, some bookes are condemned without a name, but onely by a generall rule, that all those are forbidden which beare not the names of the authours, written after the yeere 1519. and many authours and bookes are condemned which for 300. 200. and 100. yeeres haue beene commonly read by the learned in the Church of *Rome*, with the knowledge, and without the contradiction of the Popes of those times; and, amongst the modernes, some of those which were printed in *Italy*, euen in *Rome*, with approbation of the *Inquisition*, and allowed also by the Briefes of the Pope himselfe, are forbidden; as the Annotations of *Erasmus* vpon the new Testament: which *Leo* 10. hauing reade, approoued by his Briefe, dated in *Rome* September 10. 1518. But it is a thing considerable aboue all, that, vnder coulor of faith and religion, bookes are prohibited and condemned, with the same seuerity, in which the authority of Princes and temporall Magistrates is defended, from the vsurpations of the Clergie; and of Councels and Bishops, from the vsurpations of the Court of *Rome*, in which hypocrisies or tyrannies are manifested, by which the people, vnder pretence of religion, are deceiued. In summe, a better mysterie was neuer found, then to vse religion to make men insensible. That *Inquisition* went so farre, that it made a catalogue of 62. Printers, and prohibited all bookes printed by them, of what author, art, or *idiome* soeuer; with an addition of more weight; that is, and bookes printed by such Printers who haue printed bookes of heretiques; so that there scarce remayned a booke to bee reade. And for the height of rigour, the prohibition of what booke soeuer contayned in that catalogue, was vpon paine of excommunication *latæ sententiæ*, reserued to

The Annotations of *Erasmus* vpon the new Testament, read & approoued by *Leo* 10. are forbidden to be read.

1562 the Pope, deprivation and incapacity of offices and benefices, perpetuall infamie, and other arbitrary punishments. Concerning this severity, remonstrance was made to this Pope *Pius*, who referred the *Index* and all the matter to the Councel, as hath beene said.

Pius 4. Ferdinand. Elizabeth. Charles 9.

Touching the Articles proposed there were diuers opinions. *Ludouicus Becatelli*, Arch-bishop of *Ragusi*, and Friar *Augustin Seluago*, Arch-bishop of *Genua*, thought that no good effect could proceed from handling the matter of bookes in Councel, yea that it would rather hinder the conclusion of that for which the Councel is principally assembled. For *Paul* 4. by the counsell of all the *Inquisitors*, and of many famous men, who sent him aduice from all parts, made a most compleat catalogue, to which nothing can bee added, except some booke come foorth within these two yeeres, which deserueth not the labour of a Synod. But hee that would allow any that are prohibited in that collection, would shew that they haue vnaduisedly proceeded in *Rome*, and so would take away all reputation from the *Index* already published, and from the Decree it selfe which they would make; it beeing a common *maxime*, that new lawes doe remooue estimation more from themselues, then from the old. Besides (said *Becatelli*) there is no need of bookes, the world hath too many already, especially since printing was inuented: and it is better to forbid a 1000. bookes without cause, then permit one that deserueth prohibition. Neither were it fit the Synode should bee troubled with rendring the causes of the prohibitions, making censures, or approouing those which are already made in diuers places by the Catholiques. For it would be to call for contradiction. It belongeth to a Doctor to giue a reason of his saying; a law-maker if he doe it, doth diminish his authority, because the subiect doth wrestle with the reason alleadged, and when hee thinketh he hath resolued it, he thinketh also that he hath taken all vertue from the precept. Neither is it good to correct or purge any booke for the same causes, for feare of making men say that something is omitted that deserued, and something changed that did not deserue correction. Moreouer the Synod would incurre the displeasure of all that are affectionate to the bookes prohibited, and would induce them not to receiue the other necessary Decrees, which shall bee made. Hee concluded, that, the *Index* of *Paul* beeing sufficient, he thought it not fit to take paines in vaine in doing of that anew, which is done already, or vndoing that which is done well. Many other reasons were alleadged in confirmation of this opinion, by many Bishops creatures of *Paul* 4. admirers of his wisdome in managing the Ecclesiasticall discipline, who maintained that it was necessary to preserue, yea to augment the rigor instituted by him, if they would preserue the purity of religion.

The opinion of the Arch-bishop of *Ragusi*, and of *Genua*, concerning the *Index*

Iohn Thomaso S. Felicio, was of a contrary opinion; that the Councel should treate againe of bookes, as if there had beene no precedent prohibition; because that, being made by the *Inquisition* of *Rome*, is odious, for the name, to the *Vltramontans*, and besides is so rigid that it cannot be obserued; and nothing doth more easily bring a law into disuse, then the impossibility or great difficulty in keeping it, and the great rigor in punishing the transgressors; hee said that, indeed, it was necessary to preserue the reputation of that office, but that might bee done conueniently enough, by making no

The opinion of *Iohn Thomaso S. Felicio.*

menti-

mention thereof, and by ordayning onely things necessary, and moderate punishments. And therefore his opinion was, that all consisted in setting downe the manner, and spake what himselfe thought to be the best; that is, that the bookes not already censured should be diuided amongst the Fathers and Diuines of the Councel, and those that were absent also, to be examined and censured, and that a great Congregation should bee deputed, to iudge betweene the censure and the booke; and that this also should be obserued in those which are censured already, and then all should bee proposed in the generall Congregation, to decree that which was best for the publique good. For citing the Authors, he said there were two sorts of them; some separated from the Church, and some incorporated in it; of the former no account is to be made, seeing that, by their separation, they haue, as Saint *Paul* saith, condemned themselues, and their owne workes, so that there is no cause to heare them; of the others some are dead, and some aliue; of which the later are to be cited and heard, because their good name and honor being in question, one cannot proceed against their workes, before the hearing of their reasons. Concerning the dead, whatsoeuer the publike good doth require may be done, without danger of offending any. Another Bishop added to this opinion, that the same forme of iustice, vsed towards the Catholiques aliue, should be vsed also towards those that are dead, because they haue kinred and scholars, who do participate of the fame or infamie of the dead, and are therefore interested, and in case there were none such, yet the onely memory of the dead cannot be iudged, before it be defended. 1562. Pius 4. Ferdinand. Elizabeth. Charles 9.

Some also did thinke it was not iust to condemne the workes of Protestants, without hearing them. For howsoeuer the persons be condemned by themselues, yet the lawes doe not permit the declaratorie, without citation, though in a notorious fact; and therefore it cannot be pronounced against a booke, though it doth notoriously containe heresie. Fryar *Gregorie*, Generall of the *Eremite*, said, he did not thinke it necessary to obserue so many subtilties. For the prohibition of a Booke, is as the prohibition of a meate, which is not a sentence against it, nor against him that hath prepared it, but a precept to him that is to vse it, made by him who hath the charge of his health; therefore the credit of the Victualer is not in question, but the benefit of the sicke, who is forbid to eate of a meat that is hurtfull to him, though in it selfe, it may be good. So the Synod, as a Physitian, ought to forbid that which is hurtfull, or dangerous to the faithfull; wherein none will receiue wrong. For howsoeuer the booke may bee good in it selfe, yet peraduenture it may not agree to the infirmitie of the minds of this age. Many other considerations did passe, which were finally resolued into one of these.

Concerning the third Article, to inuite the heretickes to repentance with promise of clemencie, and graunt of a safe conduct, there were diuers opinions, euen amongst the Legats themselues. *Mantua* was for a generall pardon, saying, that many would be gained thereby, and that it was a remedie vsed by all Princes, in seditions, or rebellions, to pardon those whom they cannot ouercome, because, by that meanes, those that are least faultie, do retire, and the others remaine more weake; and although but few were gained, The Legats and Prelats are diuided concerning the generall safe conduct.

or

1562 Pius 4. Ferdinand. Elizabeth. Charles 9.

or but one onely, yet it was to be done; that though none at all could bee gained, yet it would be great gaine to vse and shew clemency. *Simoneta* said, that this would be dangerous for the ruine of others, because many are induced to transgresse, when they see it is easie to get a pardon, and that rigour, though it be hard to him that feeleth it, doth keep many in their dutie; that it is sufficient to shew clemency to him that desireth it, but to carry it after him that doth not demaund, or doth refuse it, doth make men more carelesse of themselues; and heresie will be thought to be but a small fault, when men see it is so easily pardoned. In these two opinions the Prelates were diuided; and those who did not approoue the safe conduct, said, it was not giuen to any in the first conuocation of this Councell, which would haue beene done if it had beene necessary or conuenient, because the Pope that sate then was most wise, and the Legats the chiefest of the Colledge; that it was giuen in the second conuocation, because *Maurice* Duke of *Saxonie*, and other Protestants did desire it, and the Emperour also in their behalfe: but now it being demaunded by none, *Germanie* saying aloud, and protesting that it doth not hold this Councell to be lawfull, a safe conduct would but giue them matter, to make some bad exposition of the Synods meaning. The Spanish Prelats would by no meanes consent to a generall safe conduct, because it would preiudice the *Inquisition* of *Spaine*, in regard, so long as that lasted, euery one might professe himselfe to be a Protestant, and make himselfe ready for the voyage, and could not be arrested by that office. The Legats thought the like might happen to the *Inquisition* of *Rome* and *Italy*. All being considered, concerning the Index, it seemed sufficient for that present, to make Deputies, and to let those that were interested vnderstand, by some little part of the decree, that they should be heard, and inuite all to the Councel, and, for the safe conduct, to referre themselues, in regard of the difficulties, to a further consideration.

The resolution of the generall Congregation concerning the Index, and safe conduct.

While these things were handled, the Popes Nephew, Cardinal *Altemps*, the fift Legat, came to *Trent*, and withall the newes of the Edict of *France* before rehearsed: which put them all into a confusion, that Princes should permit, by publike decree, those nouities which the Councell was then assembled to condemne. The next day *Antonius Miglicius*, Arch-bishop of *Prague*, Ambassador for the Emperour, was receiued in a generall Congregation, and his *Mandate* read. The Archbishop made a short oration, reseruing the residue to Master *Sigismond Tonn*, his Maiesties second Ambassador, who was to come. The Synod answered; that they were very glad to see the Emperours Ambassadours, and that they did admit his *Mandat*. The Ambassadour would haue preceded the Cardinal *Madruccio*, alledging the reasons and pretensions of *Don Diego*, in the first Councell; but by the Legats answere, who told him how that businesse was ended, he was satisfied, and sate below.

The Emperors Ambassador is receiued in congregation.

The ninth of this moneth *Ferdinandus Martinez Mascarenius*, Ambassadour of *Portugal*, was receiued, and the Kings letter of credence and *Mandat* read. A Doctor that came with him made a long oration; in which he shewed the benefit which the Church reapeth by Councels, and the necessity of this present, the crosses which it formerly endured, and how the wisdome

The Portugall Ambassadour is receiued, & a Doctor, who came with him, maketh an oration.

dome of Pope *Pius* hath now ouercome them. He ſaid the authoritie of Councels was ſo great, that their decrees were to be receiued, as diuine Oracles; that the King hoped that the differences of Religion ſhould be decided in that Councel, and the manners of the Cleargie directed to Euangelicall ſinceritie; that therefore he promiſed all obedience, whereof the Biſhops arriued alreadie, and thoſe who were to come, could giue teſtimonie; hee ſhewed the pietie and religion of thoſe Kings, and the paines they haue taken to ſubiect ſo many Prouinces to the gouernment of the Apoſtolique Sea; of which heroically pious workes they might expect an imitation in King *Sebaſtian*. He ſet forth, in few words, the Nobilitie, and vertue of the Ambaſſadour, and finally prayed the Fathers to heare him, when he ſhould ſpeake in the behalfe of the Churches of that kingdome. The *Speaker* briefely anſwered, that the Synod was well pleaſed with the Kings *Mandate*, and his oration, and that the pietie and Religion of his Maieſtie, and of his Anceſtors was generally knowen, and their glorie conſpicuous, for maintaining the Catholike Religion in that kingdome in theſe turbulent times, and ſpreading of it in places farre remote: for which the Synod did giue thankes to God, and receiue the Kings *Mandate* with due reſpect. 1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

In the congregation of the eleuenth, the other Ambaſſador of the Emperor preſented himſelfe: who was receiued without much ceremonie, becauſe the *Mandate* had bin read before, ſo that there was time to treat of Conciliarie matters; whereof ſome thing being ſpoken, libertie was giuen to the Legats to elect Fathers to conſider of the *Index*, and others to frame the Decree, againſt the next Seſſion. For the buſineſſe of the bookes, cenſures, and *Index*, the Legats named the Ambaſſadour of *Hungarie*, the Patriarke of *Venice*, foure Archbiſhops, nine Biſhops, one Abbat, and two Generals. The Emperours ſecond Ambaſſador is receiued in Congregation.

The thirteenth the Emperours Ambaſſadours came to the Legats, and made fiue requeſts; which they left in writing, that they might conſider on them. That the word *Continuation* ſhould not bee vſed, becauſe it would make the Proteſtants refuſe the Councell. That the next Seſſion ſhould be deferred, or at the leaſt, matters of ſmall weight handled. That the Confeſſioniſts ſhould not be exaſperated in the beginning, by condemning their bookes. That a large ſafe conduct ſhould be giuen to the Proteſtants. That whatſoeuer was handled in the congregations, ſhould be concealed, which hitherto had beene diuulged, euen to the common people. And hauing offered all fauour and aſſiſtance in the Emperours name, they added, that they had order from his Maieſtie, that if they were called by their moſt Reuerend Lordſhips, they ſhould giue their aduice in matters of the Councell, and employ his authoritie to fauour them. The Emperors Ambaſſadours make fiue requeſts to the Legats.

The Legats anſwered the ſeuenteenth day, that it being neceſſary to giue ſatisfaction to all, as they would not name the *continuation* at their requeſt, ſo, not to prouoke the Spaniards, it was neceſſarie to abſtaine from the contrary; that they would ſpend the next Seſſion in generall and light matters, and allow a long time for others; that they would not then condemne the *Augustan Confeſſion*; that they would not then ſpeake of the bookes of the *Confeſſioniſts*, but would make the *Index* in the end of the Councell; that a large ſafe-conduct ſhould be giuen to the Germans, when it was decided whether it ſhould To whom the Legats anſwere.

1562 Pius 4. Ferdinand. Elizabeth. Charles 9.

it should be giuen to them apart, or together with other nations; that they would take a good course for secrecie, and impart vnto them whatsoeuer they shall handle, being assured of the Emperors good affection, and that the Ambassadours are correspondent to the pietie and religion of their Master.

The Bishop of Fiue Churches, the Emperours third Ambassadour is receiued in congregation.

George Drascouitius, Bishop of fiue Churches, the Emperours third Ambassadour, who came to *Trent* the moneth before, presented his *Mandate* in the generall Congregation, the foure and twentieth of February, and made an Oration, in which he inlarged himselfe in the praises of the Emperour, saying, that God had giuen him to these times, to prouide against so many miseries; hee compared him to *Constantine* in fauouring the Church; shewed what paines he had taken for the conuocation of the Councell, and that hauing obtained it, he had before all other Princes sent Ambassadours, two for the Empire, Kingdome of *Bohemia*, and *Austria*, and himselfe for the Kingdome of *Hungarie*. Hee presented his *Mandate*, and thanked the Synod for giuing him place, fitting the qualitie of an Ambassadour, before they saw the purpose of his ambassage. The Decree was made in generall termes, and read, as well to satisfie the Imperialists, as becaus the matter was not well digested.

Which being done, *Mantua* gaue a modest and graue admonition to the Fathers, to keepe secret what was handled in the Congregations, as well to auoid opposition, as becaus things are helde in greater reputation and reuerence when they are not knowen to all. Besides, that it would be dishonorable for that assembly, if any thing were published, (as might happen often) without conuenient circumspection, and fit seemlinesse. Hee added that there was no Colledge or Councell, secular or Ecclesiasticall, small or great, which had not its secrets, to bee obserued by oath, or vpon penalties: but that Synode, consisting of wise men, ought not to be tyed but by the bonds of their owne iudgement; that, in saying thus, he spake no more to the Fathers, then to his colleagues, and to himselfe, euery one being obliged to admonish himselfe in euery thing that is seemely. Then hee spake of the difficultie of the safe-conduct, and exhorted euery one to thinke exactly of it, saying, that if it could not be determined before the session, an addition should be made to the Decree, that it might be granted in Congregation. This was agreed on amongst the Legats, becaus hauing discouered the difficultie, especially in regard of the *Inquisition* of *Rome* and *Spaine*, they had written whatsoeuer had beene spoken as well concerning this point, as the *Index*, and expected an answere from *Rome*.

Where the Pope was in a rage for the Edict of *France*, and impatient becaus they did nothing in the Councell. Hee said it was not good that the Bishops should be long out of their residencie, especially to handle superficially points alreadie decided in other Councels; he had formerly suspected the Spanish Prelats, and did it then much more, becaus he thought their ill affection was increased, for giuing the King leaue to sell foure hundred thousand crownes of yeerely rent of the Ecclesiasticall reuenues for ten yeeres, and thirtie thousand crownes of the reuenues of lands helde in vassallage of the Church: which seemed to be a great diminution of the greatnesse of the Church of *Spaine*.

Lewis

Lewis S. Gelais, Lord of *Lanſac*, ſent out of *France* expreſſly to giue the Pope an account of the ſtate of the Kingdome, came to *Rome*; and ſaid, that the King ſeeing the great care of his Holineſſe concerning the Councell, had elected for his Ambaſſadour to that place *Monſieur di Candalle*, and cauſed foure and twentie Biſhops to goe thither, of whom hee gaue him a liſt. He related what had happened in *France* ſince the death of *Francis*, and the neceſſitie to proceede with moderation, as well becauſe their forces were not ſufficient to vſe rigour, as alſo becauſe (if they had beene) they ſhould haue embrewed themſelues in the blood of the greateſt of the Nobilitie, which would haue alienedthe whole kingdome, and brought all matters to a worſe eſtate; and that the King had no hope but in the Councell, in which all Nations, euen the Germans themſelues, would aſſiſt. For religion being eſtabliſhed in *Germanie*, he did not doubt to doe the like in *France*, but thought it impoſſible to make thoſe who will not be preſent in the Councell, to accept the Decrees thereof; & that the French Proteſtants cannot be ſeparated from the Dutch. Therefore hee intreated his Holineſſe, that, to giue them ſatisfaction, onely for the ſecurity of the place and forme of proceeding, he would be pleaſed to yeeld vnto them, in regard of the great benefite which would enſue. The Pope anſwered, firſt concerning the Councell, that, from the beginning of his Papacie, he was reſolued to call it; that hee hath beene hindered by the Emperour and King of *Spaine*, both which notwithſtanding haue at this preſent Ambaſſadours and Prelats there; that none remaine but the Frenchmen, who haue moſt neede of the Councel; that hee hath omitted nothing to inuite the Dutch Proteſtants, euen with the indignitie of that Sea; that hee will continue, and will giue them what ſecuritie they can require; that he thought it not honeſt to ſubiect the Councell to their diſcretion, and that, if they refuſed to come, eſpecially hauing beene inuited, they ought to proceed without them. But, for the things done in *France*, he briefly ſaid hee could not commend them, and prayed God to pardon the Authours of ſo great inconueniences.

1562.

PIVS 4. FERDINAND.

ELIZABETH. CHARLES 9.

An Ambaſſadour is ſent out of *France* to giue the Pope an account of the ſtate of the kingdome.

To whom the Pope anſwereth.

And the Pope would haue paſſed thoſe bounds, if hee had knowen what was in doing in *France* at that ſame time, when *Lanſac* made relation vnto him of what had beene done. For, the fourteenth of February, the Queene gaue order in S. *Germans*, that the Biſhops of *Valence* and *Seez*, and the Diuines, *Butiglier*, *Eſpenſæus*, and *Picorellus*, ſhould conſult what might be done for a beginning of concord; who propoſed the points following. That it ſhould be abſolutely forbidden to make an image of the holy Trinitie, or of any perſon not named in the Martyrologies, accepted by the Church. That the images ſhould not haue any crownes or garments put vpon them, or vowes or oblations made vnto them, nor ſhould be caried in proceſſion, except the ſigne of the holy Croſſe; wherewith the Proteſtants ſeemed to reſt content, howſoeuer concerning the ſigne of the croſſe they made ſome reſiſtance, ſaying that *Conſtantine* was the firſt which did propoſe it to be worſhipped, contrary to the vſe of the ancient Church. But *Nicholaus Magliardus*, Deane of the *Sarbon*, together with other Diuines, did oppoſe, and defend the adoration of images, though he confeſſed there were many abuſes in it. In the ſame moneth the King of *Navar* wrote to the Elector *Palatine*,

A treatie in *France* about a concord in religion.

the

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

the Duke of *Wittenberg*, and *Philip* of *Hassia*, that howsoeuer they could not agree in the Colloquie of *Poiss*, nor in this last about images, yet hee would still labour to reforme religion, not so, as to trouble the publike quiet of the Kingdome, but bringing it in by little and little.

The King of *Navarre* writeth to the Protestant Princes of *Germany*.

At the same time the Duke of *Guise* and Cardinall of *Loraine* went to *Taverne*, a Castle belonging to the Bishop of *Strasburg*, and there met *Christopher* Duke of *Wittemberg*, with some Ministers of the *Augustane Confession*. They were together three dayes; and those of *Guise* expounded to the Duke what fauour was done to the *Augustan Confession* in the Colloquie of *Poiss*, and the difficulty which the Reformatists of *France* did make in accepting it, desiring that *Germany* would ioyne with them to hinder the doctrine of *Zuinglius*: not that the amendment of religion (which they much desired) might bee delayed; but that a pestiferous poison might not take roote, not onely in *France*, but in *Germany* also. This they did, that, the warre now approching, they might more easily haue assistance, or, at the least, that it might be denied to their enemies. This Parlie begot great suspitions in *Rome*, *Trent*, and *France*.

A Parly betweene the *Guisards* and the Duke of *Wittemberg*.

The Cardinall and his adherents iustified themselues, that it was for the good of Christendome, to haue the fauour of the Protestants of *Germany* against the *Hugonots* of *France*. And there was a fame, that the Cardinall did truely desire an vnion in religion with *Germany*, and that, as hee detested the *Confession* of *Geneua*, so he inclined to that of *Ausburg*, and desired to see it planted in *France*. It is certaine that, after the Councel of *Trent* was ended, he said, he had formerly beleeued that *Confession*, but that afterwards hee was satisfied with the determination of the Councel, and thought that all good Christians ought to doe the like. Concerning the Sermons publikely made in *France*, though there were seditions in many places, which did hinder the increase of the Reformatists, yet there were then 2150. assemblies, which were called Churches.

2150. reformed Churches in *France*.

The fixe and twentieth of Februarie being come, the Session was held in *Trent*. *Antonius Helius*, Patriarke of Ierusalem, sayde Masse, and *Antonius Caetus*, Arch bishop of *Corfu*, made the Oration. When the Masse was ended, the *Mandats* of Princes being to be read, there grew a question between the Ambassadors of *Hungarie* and *Portugal*, each pretending that his should first be read, as of the more eminent King: There was no difficultie in the Precedence of the Ambassadors themselues, because that of *Portugal*, as a secular, sat at the right side of the Temple, and the other, as an Ecclesiastike, at the left. The Legates, hauing consulted heereof, saide, that the *Mandats* should be read in the order as they were presented, not according to the dignitie of the Princes. The Popes briefe, referring the matter of the *Index* to the Councell, was read also. This *Index* had beene made in *Rome* by *Paul* the fourth, as hath been said, with which if the Councell had medled, it might haue seemed to chalenge superioritie aboue the Pope. Therfore they thought fit that the Pope should voluntarily giue leaue, to preuent that preiudice. The Masse Patriarke read the Decree, the substance whereof was. That the Synod, meaning to restore the Catholike doctrine to its puritie, and correct maners, in regard the number of pernicious and suspected bookes was increased, because the censures made in diuers Prouinces, and *Rome*, haue done no

The Session February 26.

A question between the Ambassadors of *Portugal* and *Hungary*, about the precedence of their Masters.

The Decree concerning the *Index*.

good,

good; hath determined to depute some father to consider hereof, and to relate to the Synod, in time conuenient, what they thinke fit to haue done more, to separate the cocle from the good corne, to remooue all scruples out of mens mindes, and to take away all cause of complaints; ordaining that this should bee published with that Decree, that if any haue interest in the businesse of the bookes, and censures, or any other to bee handled in Councell, hee may know and bee assured that hee shall be courteously heard. And because the Synod doth heartily desire the peace of the Church, that all may acknowledge their common mother, it doth inuite all who doe not communicate with her, to reconciliation and concord, and to come to *Trent*, where they shall be imbraced with all offices of charitie; and, further, hath decreed that a safe conduct may be granted in a generall Congregation, and shall bee of the same force and strength, as if it had beene granted in publike Session. 1562 PIVS 4 FERDINAND. ELIZABETH. CHARLES 9.

The Decree being read, the title whereof was: *Of the holy Ecumenicall, generall Synod, lawfully assembled in* CHRIST, the Arch-bishop of *Granata*, required that these words (*representing the vniuersall Church*) should bee added, as hath been obserued in all the later Councels. *Antonius Peragues*, Arch-bishop of *Caglieri*, made the same request; and these two were followed by almost all the Spanish Prelates, desiring that this request might be noted in the actes. No answere was made, but, for conclusion, the next Session was appointed to be the 14. of May. The title of the Councell is questioned.

The Decree was printed, not only because it was the custome, but because it was made of purpose to bee published to all; and it was censured by all sorts of persons. It was demanded how the Synod did call those, who were interested in the things which were to bee handled in the Councell, if they were not knowne; and it was said that formerly all things were handled besides expectation, & who could propheste what the Legats would propose, because they knew not themselues, still expecting Commissions from *Rome*. Those who were interested in any booke, how could they know that any thing would be spoken against it? The generalitie of the citation, and incertainetie of the cause might induce euery one to goe to *Trent*, because euery one hath interest in some particular, which might perhaps bee treated on. It was concluded generally that they were called in shew, and excluded in deed. Notwithstanding these things which they could not praise, they commended the ingenuous confession of the Synod, that the former prohibitions had begot scruples in mens minds, and giuen cause of complaints. In *Germanie*, that part was suspected, where the Synod giueth authority to it selfe, to giue a safe-conduct in a generall Congregation. For they vnderstood not any difference, in regard the same persons met in both assemblies, but only that they did weare *Miters* in the Sessions, and *Caps* in the Congregations; nor why, if the safe-conduct could not then be granted, they could not make a Session expresly for it. In summe, they thought that there was some great mysterie couered in it, howsoeuer the most vnderstanding men did beleeue that the Synod was assured that no Protestant would come to *Trent*, with any safe-conduct whatsoeuer, except it were by force, as it happened in the yeere 1552. because of the resolution of *Charles*; a thing which could no more bee put in practise. The Decree is censured.

1562
Pius 4.
Ferdinand
Elizabeth.
Charles 9.

The Popes answere to the Legats.

The Pope wrote backe to the Legats, that the heretikes should not be inuited to repentance with promise of pardon; because, it hauing beene done by *Iulius*, and, another time, by *Paul* the fourth, no good issue came of it. Amongst the heretikes, those who are in a place of libertie will not accept it, and those who remaine where the *Inquisition* hath power, if they feare to bee discouered, will receiue the pardon fainedly to secure themselues of that which is past; with purpose to doe worse more warily. For the safe-conduct, hee was content it should bee giuen to all who are not vnder the *Inquisition*, but so, as that the exception should not be expressed; in regard that when *Iulius* granted his pardon, except onely to those who were subiect to the Inquisitions of *Spaine* and *Portugal*, much was spoken against it, and it passed with small reputation, as if the Pope had not the same power ouer that *Inquisition*, as ouer others. But for the manner of expressing it, hee did referre it to the Synode. For the forme, hee commended that which the Councell gaue to *Germanie* in the yeere 1552. in regard that was seene alreadie, and that so many Protestants came that yeere to *Trent*, vpon that securitie. Concerning the *Index*, he ordained that the Deputies should proceed, vntill an occasion were offered to make a publike Decree without the opposition of any Prince.

The answere being come, the second of March and the day following Congregations were held, to resolue whether the generall pardon ought to bee published, and a safe-conduct granted, and what forme was to be giuen to the one and the other; and the fourth day, after long disputations, all was concluded, the Legates hauing made the determination fall where they aimed, without interesting the Popes authoritie. To inuite the heretikes to repentance was omitted, for the reasons alleadged in *Rome*. It was much disputed, whether a safe-conduct was to bee giuen by name to the French, English, and Scotish men; and some spake of the Greekes, and other Nations of the East. It was presently seene that these poore men, afflicted in seruitude, could not, without danger and assistance of money, thinke of Councels; and some said that, there being a diuision of the Protestants, it was good to let them alone, and not to name them, alleadging that it was dangerous to mooue in a bodie ill humours which were at quiet. To giue a safe-conduct to English-men, which neither they, nor any for them doe require, would bee a great indignitie. They were content it should bee giuen to the Scots, because the Queene would demaund it, but so, as that the demand should first bee made. For *France*, there was a doubt made whether the Kings Councell would take it well or not, because it would bee thought to bee a declaration that the King had rebels. Of *Germanie* none could doubt, because it had beene formerly graunted to them; and if it were graunted to that Nation alone, it would seeme that the others were abandoned. Many thought fit to grant it absolutely to all Nations; but the Spaniards did oppose, and were fauoured by the Legates, and others who knew the Popes minde, to the great indignation of those, who thought that an inference might bee made that the Councell was not aboue the *Inquisition* of *Spaine*. In the ende all difficulties were resolued, and the Decree framed with three parts. In the first a safe-conduct was giuen to the *Germans*,

mans iuſt word by word, as it was made in the yeere 1552. In the ſecond, it was ſayd, that the Synod doth giue ſafe conduct in the ſame forme and words as it was giuen to the Dutchmen, to euery one who hath not communion of faith with her, of euery Nation, Prouince, Citie and place where any thing is preached, taught, or beleeued, contrary to that which is beleeued in the Church of *Rome*. In the third it was ſaid, that although all nations doe not ſeeme to be comprehended in that extenſion, which hath been done for certaine reſpects, yet thoſe who repent, and returne to the boſome of the Church, are not excluded, of what nation ſoeuer they be; which the Synod deſireth ſhould be publiſhed to all. But becauſe it muſt be maturely conſulted on, in what forme the ſafe conduct muſt bee giuen them, they haue thought fit to deferre that point vntill another time, thinking it ſufficient, for the preſent, to prouide for the ſecuritie of thoſe who haue publiquely abandoned the doctrine of the Church. The Decree was preſently printed, as was fit, it beeing made onely to bee publiſhed. Yet the Synode did not keepe promiſe, to conſult of the forme of the ſafe conduct, to bee giuen to thoſe of the third kind, and in printing of the body of the Councell this third part was left out, leauing it to the ſpeculation of the world, why they did promiſe to prouide for thoſe alſo, and publiſh it in print, with a deſire to haue all men know it and afterwards not to do it, and labour to conceale that, which then they did deſire to manifeſt.

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
The Decree of the ſafe conduct.

The Emperours Ambaſſadours ſollicited the Legats to make the reformation, and to write to the Proteſtants, exhorting them to come to the Councell; as was done to the Bohemians, in the time of the Councell of *Baſil*. The Legats anſwered that, for theſe fourtie yeeres, all, both Prince and people, haue deſired reformation, yet neuer any part thereof was handled, but themſelues did croſſe and hinder it, ſo that they haue been conſtrained to abandon the worke; that now they will endeuour to make a generall reformation of all Chriſtendome, but for one particularly for the Clergie of *Germanie*, which doth moſt neede it, and which the Emperour doth principally expect, they ſaw not how they could make it, ſeeing that the Dutch Prelats were not come to the Councell; and for writing to the Proteſtants, in regard they haue anſwered the Popes *Nuncij* with ſuch exorbitant vnſeemelineſſe, they could not but expect that they would make a worſe anſwere to the letters of the Synod.

The eleuenth of March the Legates propoſed twelue Articles in the generall Congregation, to bee ſtudied and diſcuſſed in the next Congregations.

Twelue Articles to be diſcuſſed.

1. What prouiſion might bee made, that Biſhops and other Curates may reſide in their Churches, without beeing abſent, but for cauſes iuſt, honeſt, neceſſary and profitable for the Catholike Church.
2. Whether it bee expedient that none bee ordained but vnto a title of ſome Benefice, in regard many deceits are diſcouered which ariſe from ordination to a title of the Patrimonie.
3. That nothing bee receiued for Ordination, either by the Ordainers, or their Miniſters, or Notaries.
4. Whether it ought to bee granted to the Prelates, that in the Churches

1562 Pius 4. Ferdinand. Elizabeth. Charles 9.

where there are no dayly distributions, or so small as that they are not esteemed, they may conuert one of the Prebends to that vse.

5. Whether great Parishes which haue neede of many Priests, ought to haue many titles also.

6. Whether small Benefices with Cure, which haue not a competent reuenue for the Priest, ought to bee reformed, making one of many.

7. What prouision is to bee made concerning Curates ignorant, and of a bad life, whether it bee fit to giue them coadiutors, or able Vicars, assigning them part of the reuenues of the Benefice.

8. Whether power ought to bee giuen to the Ordinarie to incorporate into the mother Churches, ruinated Chappels, which, for pouertie, cannot bee rebuilt.

9. Whether it ought to bee granted to the ordinarie that hee may visite Benefices held in *Commenda*, though they bee regular.

10. Whether secret marriages, which shall bee contracted hereafter, ought to bee made voyd.

11. What conditions ought to bee assigned, that a marriage may not bee esteemed secret, but contracted in the face of the Church.

12. What prouision ought to be made concerning the great abuses, caused by the Pardoners.

One Article more concerning clandestine mariages.

After these the point following was giuen to the Diuines to bee studied, and discussed in a Congregation appointed for that onely.

Whether, as *Euaristus*, and the Lateran Councell haue declared, that clandestine, or secret marriages are reputed not good, both before the Iudge, and in estimation of the Church, so the Councell may declare that they are absolutely voyd, and that secrecie ought to bee put amongst the impediments, which doe make a *Nullitie* in the marriage. In the meane space, it beeing discouered that the Protestants of *Germanie* did treate a league, and make some leuies of Souldiers, the Emperour wrote to *Trent*, and to the Pope also, that the Councell might surcease, vntill it did appeare whither the motion did tend. For this cause, and because of holy dayes the residue of this moneth was spent in ceremonies onely.

The Protestants of *Germany* treate a league, and raise Souldiers.

The Spanish Ambassador is receiued, and an oration is made in his name.

The sixteenth day *Franciscus Ferdinandus d' Aualos*, Marquis of *Pescara*, Ambassadour of the Catholique King, was receiued in a generall Congregation; and, his *Mandate* being read, an Oration was made in his name; the substance whereof was; That the Councell being the onely remedie for the euils of the Church, *Pius* the fourth hath, vpon good reason, thought it necessary in these times; in which *Philip*, King of *Spaine*, desired to haue beene personally present, to giue example to other Princes: but, because hee cannot, hee hath sent the Marquis, to assist and fauour it as much as possibly he can, knowing, that howsoeuer the Church is defended by God, yet sometimes it hath neede of the assistance of man. That the Ambassadour doth not thinke it needfull to exhort the Synod, knowing their incredible and almost diuine wisedome; that he seeth good foundations laid already, and the things now treated on, managed with arte, which doth mitigate, and not exasperate; so that hoping that their future actions will be correspondent, hee will onely promise all good offices, endeauours and fa-

uours

uours from the King. the *Speaker* answered, in the Councels name, that the comming of an Ambassadour from so great a King, had giuen courage and hope to the Synod, that the remedies, which it shall vse for the euils of Christendome, will be profitable; therefore it doth embrace his Maiestie with all good affection, thanketh him, offereth to requite his merits, and to do whatsoeuer it can for his honour, and doth, as it ought, receiue the *Mandat*. In the Congregation of the 18. the Ambassadour of *Cosmo*, Duke of *Florence* and *Siena*, was receiued; who, after his *Mandat* was read, made an Oration; in which hee shewed at large the affinitie of his Duke with the Pope, exhorted the Fathers to purge the Church, and declare the light of the truth, taught by the Apostles, offering all possible assistance from his Duke, as hee had done before to the Pope, for preseruation of the Maiesty of the Sea of *Rome*. The *Speaker* thanked him in the Synods name, and, hauing made a reuerent commemoration of *Leo* 10 and *Clement* 7. added that they were assembled onely for this end, and thought of nothing but of composing all dissention, chasing away the darkenesse of ignorance, and manifesting the truth.

1562
PIVS 4.
FERDINAND.
ELIZ. BETH.
CHARLES 9.

The answere of the Speaker

The Ambassadour of *Florence* is receiued, and maketh an Oration.

Melchior Lusi, Ambassadour of the Catholique *Suisses*, and *Ioachimus Propostus*, an Abbat, in the name of the Abbats, and other Ecclesiastiques of that Nation, were receiued in the Congregation of the 20. In whose name an Oration was made to this purpose. That the Consuls of the 7. Cantons, in regard of their filiall duety towards the Church, haue sent Ambassadours to assist in the Councel, and to promise obedience, and to make knowne to all, that they doe not yeeld to any in their desire to assist the Sea of *Rome*, as formerly they haue, in the times of *Iulius* 2. and *Leo* 10. as also when they fought with the neighbour Cantons, for the defence of religion, slaying *Zuinglius*, the most wicked enemy the Church had, whose body they sought amongst the dead, and burnt it, to testifie that they ought to haue irreconciliable warre with the other Cantons, so long as they continue to bee out of the Church, in regard they are scituated at the confines of *Italy*, as a Castle to resist the Northren euill, that it cannot penetrate within the bowels of that Countrey. The Synode answered by the *Speaker*, that the pietie and good deeds of the *Heluetians* towards the Apostolique Sea, were many and great; but no obedience or office more opportune then the Ambassage sent, and the offer made to the Synode; that they were glad of the comming of the Ambassadours, and had, beside the protection of the Emperour, Kings, and Princes, much confidence in that famous Nation.

The Ambassadours of the Catholique *Suisses* are receiued.

In the Congregation of the sixth of Aprill, *Andreas Dudicius*, Bishop of *Tinia*, and *Iohannes Collosarinus*, of *Canadia*, Orators of the Clergie of *Hungarie*, were receiued. The first made an Oration, and said; that the Arch-bishop of *Strigonium*, the Bishops and Clergy, had receiued great ioy for three things; for the assumption of *Pius* 4. to the Papacie, for the conuocation of the Councel of *Trent*, and for the deputation of the Apostolicall Legats to preside in it. Hee shewed the obseruance of the Prelates towards the Catholique Church, and called the Cardinall of *Varmia* for a witnesse thereof, who did know them, and conuersed with them; hee expounded the deuotion of the *Hungarians*, and the seruice they doe to all Christendome, in

The Orators of the Clergy of *Hungary* are receiued.

1562 Pivs 4. Ferdinand. Elizabeth Charles 9.

mainetayning warre againſt the Turkes, and the particular diligence of the Biſhops, in oppoſing the plots of the heretiques. Hee related the common deſire of them all to bee preſent in the Councel, if their preſence had not beene neceſſary at home, to defend their Caſtles againſt the Turkes, who are at their confines, and to keepe watch againſt the heretiques; ſo that being forced to performe this duty by them their Orators, they recommended themſelues to the protection of the Councel, offering to receiue and obſerue whatſouer ſhould bee decreed by it. The Secretary anſwered in the Councels name, that the Synod was aſſured of the ioy which the *Hungarians* conceiued for the celebration of the Generall Councel; that they ought to pray God for the happie iſſue of it; that they deſired to haue ſeene the Prelates in perſon, but ſeeing they are hindred by the cauſes prooued by the Cardinall of *Varmia*, it doth accept their excuſe, hoping that Chriſtian religion will receiue profit by their preſence in their owne Churches; and the rather, becauſe they haue recommended their actions to them the Orators, beeing honeſt and religious Fathers, and therefore that they doe embrace both them, and their *Mandates*.

The Article of reſidence is ſet on foote againe, and cauſeth a contention.

In the Congregations, dayly held from the 7. day vntill the 18. the Fathers ſpoke of the 4. firſt Articles, but very confuſedly of the firſt, concerning Reſidence. Of thoſe who aſſiſted in the firſt Councel, when this point was handled, which was done with ſome difference, or rather controuerſie, there were but fiue Biſhops in this, and yet, at the firſt propoſing hereof, they preſently diuided themſelues into partes, as remembring the ancient contention; which happened in no other queſtion, neither at that time, nor in the time of *Iulius*, nor at this preſent. Some ſay the cauſe was, for that the other diſcuſſions, beeing Theologicall, were not well vnderſtood, and were handled ſpeculatiuely by the learned, without any paſsion but of hatred againſt the Proteſtants, who did trouble them, by ſetting on foot thoſe queſtions. But this touched the Prelates in their owne perſons. The Courtiers were mooued with ambition, or obliged to follow that opinion, which was moſt commodious for their Patrons. Others were caried away with enuie, who not hoping to raiſe themſelues to that height in which the Courtiers were, deſired to pul them lower, and ſo to become equall. In this Article euery one laboured according to his paſsion, and kept a ſtrict account of his owne voice deliuered in the Congregations, and of all the voyces of others, which were any way remarkeable. Of this number 34. came into my hands, in that forme as they were deliuered, and of the others I haue vnderſtood the concluſion onely: but heere nothing is to bee related but that which is of note.

The Suffrage of the Patriarke of *Ieruſalem* concerning Reſidence.

The Patriarke of *Ieruſalem* ſaid, that this Article had beene handled, and diſcuſſed in the firſt Councel, and concluded, that, to cauſe reſidence, there are two prouiſions. One, to conſtitute puniſhments for thoſe who doe not reſide; an other, to remooue the impediments which doe hinder reſidency. The firſt was fully ordered in the ſixt Seſſion, neither can any thing bee added, in regard the loſſe of halfe the reuenues is a very great pecuniary puniſhment, then which a greater can not be impoſed, without making the Biſhops beggars. If the contumacie bee exceſſiue, there can bee no greater puniſh-

ment,

ment, except depriuation; which requiring one to execute it, which must needs be the Pope, in regard the ancient vse of the Church was, to reserue to that Sea the hearing and determining of the causes of Bishops, that sixt Session referred it to his Holinesse to finde a remedy, either by meanes of a new prouision, or otherwise, and bound the Metropolitane to aduise him of the absence. For the second they beganne to make prouision, and, in that, and other Sessions, many decrees were made, to take away many exemptions, which hindered the Bishops to exercise their charge. Therefore it now remaineth onely to continue, and to remoue the residue of the impediments, electing a certaine number of Fathers, as then was done, to make collection of them, that they may bee proposed, and prouided for.

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

The Archbishop of *Granata* added, that a more potent and effectuall remedie was proposed in that Councell; that is, that the obligation of Residence was by the law of God, which was handled and examined ten moneths together; and that if that Councel had not beene interrupted, it would haue beene decided as a necessary, yea, as a principall article of the doctrine of the Church, and was then not onely discussed, but the reasons vsed by diuers were put in print also; so that the matter is prepared and digested, and nothing now remaineth but to giue it perfection. When it shall be determined that residencie is *De iure diuino*, all hinderances will cease of themselues; the Bishops, vnderstanding their duty, wil think on their owne conscience; they will not be reputed hirelings, but Pastors, who knowing that the flock is giuen to them by God, to whom they must make an account, without laying the fault on others, and being assured that dispensations will neither saue, nor helpe them, they will apply themselues to performe their dutie. And he proceeded to proue, with many authorities of the New and Old Testament, and exposition of the Fathers, that this was the Catholike truth. This opinion was approued by the maior part of the Congregation, the maintainers whereof laboured to bring authorities and reasons.

The Suffrage of the Archbishop of *Granada*.

Is approoued by the maior part.

Others did reiect it, and said it was new, neuer defended, neither by antiquitie, nor by this age before Cardinall *Caietan*, who set the question on foot, and maintained that part, which notwithstanding he did abandon in his old age, because he tooke a Bishopricke, and did neuer reside; that the Church hath euer held that the Pope might dispense; that Non-residents haue alwaies beene punished, and reprehended as transgressors of the Canons onely, and not of the law of God; that, indeed, it was disputed in the first Councel, but the disputation was held to be so dangerous by the Legats, men of great wisedome, that they did cunningly cause it to bee buried in silence; that this example ought to be followed, and that the bookes which haue beene written since, haue giuen great scandall to the world, and made knowen that the disputation proceeded from partialitie. For the authorities of the Scripture and Fathers, they are onely exhortations to perfection, neither is there any substantiall proofe but out of the Canons, which are Ecclesiasticall lawes.

And reiected by others.

Some held opinion that there was neither place, nor time, nor opportunity to handle that question, & that no good could come by the determinati-

on

1562 on of it, but danger of many inconueniences; that the Councell was assembled to extirpate heresies, not to make schisme amongst the Catholiques, which would happen by condemning an opinion, followed, if not by the greater part, yet by one halfe at the least; that the authors of that opinion haue not inuented it for truths sake, but the more to vrge men to reside, with small ground of reason, in regard that the lawes of GOD are not more diligently obserued then the lawes of the Church; that the precept for keeping of Lent is more strictly obserued, then those of the Decalogue; that if to confesse and communicate at Easter were commaunded by God, more would not do it then now do; that to say Masse with *Copes* is an Ecclesiasticall law, and yet no man doth transgresse it; he that doth not obey the penall commaunds of the Canons, will transgresse much more when he feareth onely the iustice of God: neither will any Bishop be mooued with that determination, but it will giue occasion to plot rebellions against the Apostolique Sea, to restraine the Popes authoritie, and (as some haue beene heard to whisper) to depresse the Court of *Rome*; that that was the ornament of the Cleargie, which is respected in other places, onely in regard of it; that if it should be depressed, the Church would euery where be lesse esteemed; and therefore that it was not fit to handle such a businesse, without imparting it to his Holinesse and Colledge of Cardinals, to whom it doth principally belong.

Pius 4. Ferd. nand. Elizabeth. Charles 9.

The lawes of the ope are more strictly obserued then the lawes of God.

The Suffrage of *Paulus Iouius*, Bishop of *Nocera*.

The opinion of *Paulus Iouius*, Bishop of *Nocera*, is not to be omitted; who said in substance. That certainely the Councell was assembled to cure a great wound, which is the deformation of the Church, the cause whereof, as al are perswaded, is the absence of the Prelats from their Churches; which being affirmed by all, is perhaps not sufficiently considered by any. But it is not the part of a wise Physitian to take away the cause before he be well assured that the remoouing of it will not cause greater diseases. If the absence of Prelats hath beene the cause of the corruptions, there will be lesse deformation in those Churches where they haue resided. The Popes, for these hundred yeares, haue continually sate in *Rome*, and vsed all diligence to instruct the people; yet we do not see that that Citie is better gouerned then others. The great capitall Cities of kingdomes are most out of order, where the Prelats haue alwaies resided; on the contrary, some poore Cities, which haue not seene a Bishop in an 100. years, are lesse corrupted; that amongst the ancient Prelats here present, who haue continually resided in their Churches, of which number there are some, not one can shew that his Dioces is better then the next, which haue continued without a Bishop. If any say they are a flock without a shepheard, let him consider that not Bishops onely, but Parish Priests also haue cure of soules, and that there are mountaines which hauing neuer seene Bishops, may be a paterne to Episcopall Cities. That the zeale and care of the Fathers of the first Councell is to be commended, and imitated, who, by penalties, haue incited the Prelats to remaine in their own Churches, and begun to remooue the impediments which did hinder them; but they were deceiued if they did hope that this residencie would be a sufficient reformation; yea, they ought to feare, that as residencie is now required, so posteritie, seeing the inconueniences that arise from thence, wil desire

their

their abſence. That they ought not to make ſuch ſtrong bonds as cannot in time of neede be looſed, ſuch as *Ius diuinum* would bee, which they now begin to alledge, 1400. yeares after CHRIST. Where there is a pernicious Biſhop, as was that of *Collen*, he will defend himſelfe by this doctrine, in not obeying the Pope, when he ſhall cite him to giue an account of his actions, or keepe him farre of, that he may not cheriſh the euill. He added, that hee ſaw that the Prelats who were of the contrary opinion had a good zeale, but did beleeue alſo that ſome of them would be content to make vſe of it, to withdraw themſelues from the Popes obedience, which the ſtricter it is, the more it doth hold the Church vnited. He put them in mind alſo, that whatſoeuer they doe herein, will turne to the fauour of Pariſh Prieſts alſo, to withdraw themſelues from obedience to their Biſhops. For the article being thus ex pounded, they will make vſe of it, and ſay, that the Biſhop cannot remoue them from their Churches, nor reſtraine their authoritie by reſeruations, and, being Paſtors immediatly ſent by God, they will pretend that the flocke doth more belong to them, then to the Biſhop, and no anſwer can be made againſt it. And as hitherto the gouernment of the Church hath beene preſerued by meanes of the *Hierarchie*, ſo this will cauſe a *Popularitie*, and an *Anarchie*, which will deſtroy it.

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

Iohn Baptiſta Bernard, Biſhop of *Aiace*, who though he beleeued that reſidencie was *de iure diuino*, yet thought it not fit to ſpeake of that queſtion, deliuered a ſingular ſpeech, ſaying; That, not aiming to eſtabliſh one opinion more then another, but onely ſo to enforce reſidencie, as that it may be really executed, hee thought it vaine to declare from whence the obligation came, or whatſoeuer elſe, and that it was ſufficient onely to remooue the cauſe of abſence; which is, that Biſhops doe buſie themſelues in the Courts of Princes, and in the affaires of the world, being Iudges, Chancellours, Secretaries, Counſellours, Treaſurers; and there are but few offices of State into which ſome Biſhop hath not inſinuated himſelfe. This is forbidden by S. *Paul*, who thought it neceſſary that a ſouldier of the Church ſhould abſtaine from ſecular employments. Let Gods command be executed, and them forbidden to take any charge, office, or degree, ordinarie or extraordinarie, in the affaires of the world; and then there being no cauſe for them to remaine at Court, they will goe to their reſidencie, of their owne accord, without command or penaltie, and will not haue any occaſion to depart from thence. In concluſion, he deſired that the Councell would conſtitute, that it ſhould not be lawfull for Biſhops or others, who haue cure of ſoules, to exerciſe any ſecular office or charge.

The Suffrage of Iohn *Baptiſta Bernard*, Biſhop of *Aiace*.

The Biſhop of Fiue Churches, the Emperours Ambaſſadour, oppoſed and ſaid, that if the wordes of S. *Paul* were to be vnderſtood according to the ſence which was giuen them, the whole Church was to be condemned, and all Princes, ſince the yeere 800. vntill now, for that for which they principally deſerue to be commended, theſe in giuing, and thoſe in accepting temporall Iuriſdictions; which alſo haue beene exerciſed by the Popes, and by Biſhops placed in the Catalogue of Saints. The beſt Emperours, Kings of *France*, *Spaine*, *England*, and *Hungarie* haue euer had their Counſels full of Prelates, all which muſt be condemned, if Gods precept doe forbid them to exerciſe

Is oppoſed by the Biſhop of Fiue Churches, the Emperours Ambaſſadour.

1562 exerciſe thoſe charges. Hee that thinketh *Paul* his command doeth compre-
Pivs 4. Ferdinand. hend Eccleſiaſticall perſons onely, is deceiued: For it is directed to all faith-
Elizabeth. Charles 9. full Chriſtians, who are the ſouldiers of Chriſt, and inferreth, that as the worldly ſouldier doeth not buſie himſelfe in the Artes by which life is maintained, becauſe they are repugnant to his profeſſion, ſo the ſouldier of Chriſt, that is, euery Chriſtian, ought to abſtaine from thoſe things which are repugnant to Chriſtian profeſſion, which are ſinnes onely; but whatſoeuer may be done without ſinne, is lawfull for euery one. The Prelates that ſerue in thoſe affaires, cannot be reprehended, except it be ſaid that they are ſinnes. The greatneſſe of the Church, and the eſteeme the world maketh thereof, proceedeth moſt from Eccleſiaſticall dignities, placed in perſons of Nobilitie and of great blood, and from Prelates exerciſed in charges of importance; which if they ſhould be incompatible to the Clergie, no perſon nobly deſcended would enter into that order, no Prelat would be eſteemed, and the Church would conſiſt onely of people baſely borne, and liuing baſely. But, on the contrary, the good Doctors haue euer maintained, that thoſe Statutes are againſt Eccleſiaſticall libertie, which exclude from publique adminiſtrations Eccleſiaſticall perſons, to whom they belong by right of birth; as alſo the prohibitions that publique charges cannot be giuen to Prieſts. This was heard with applauſe of all the Prelates, euen of thoſe who thought that reſidencie was *de iure Diuino*; ſo potent are the affections of men, that ſometimes they ſuffer them not to diſcerne contradictions.

Who gaineth an applauſe.

A brieſe diſcourſe of the Authour concerning ordination to the title of the Patrimonie.

Of the other Articles a light diſcuſſion onely was made; yet ſomething was ſaid worth the noting. For the ſecond, for prohibiting ordinations to the title of the Patrimonie, it is certaine, that ſince the Church was conſtituted and eſtabliſhed, and neceſſary miniſteries deputed in it, no man was ordained, in the good times of it, but vnto ſome proper miniſterie. But this good vſe was quickely turned into an abuſe. For in regard of the exemptions of diuers, and of other worldly reſpects, and becauſe the Biſhops deſired to haue a great Clergie, they ordained whoſoeuer came vnto them for it. Therefore this ſort of ordination was forbidden in the Councell of *Chalcedon*, which was then called abſolute, or looſe, (for ſo the Greeke word doth properly ſignifie) commanding that none ſhould be ordained but vnto a particular charge, and that the looſe ordinations ſhould be nullified, and made voide. This was afterwards confirmed by the Canons, ſo that this rule remained as a Maxime, eſtabliſhed in the Church, that no man could be ordained without a title; and in the ancient and good times, by a title was vnderſtood a charge, or miniſtery to be exerciſed. But after that corruptions were entred, a title was taken for a reuenue to liue vpon, and that which was conſtituted to this end, that amongſt the Clergie no perſon might be idle, was thus transformed, that no perſon might want, and be forced to worke for his liuing. And the true ſence of the Canons being couered by this interpretation, *Alexander* the third did eſtabliſh it in his *Lateran* Councell, ſaying, that none ſhould be ordained without a title, by which he may receiue prouiſion, neceſſarie for his life, with this exception, If hee had no inheritance of his owne, or from his father; which would be very reaſonable if a title were required onely to maintaine life. For this cauſe, many, ſhewing they had

had a Patrimonie, by false probes, were ordained: others, after they were ordained to a true patrimonie, did alien it, and others borrowing sufficient patrimonie vntill they were ordained, did afterwards restore it to him that had lent it, so that there were many poore Priests, and many inconueniences caused, which required that prouision should be made for them. 1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

This Article being proposed to the Synode, there were diuers opinions. Some said, that it being established that residencie is *de iure diuino*, and euery one exercising his charge, the Churches will be perfectly serued, and there will be no need of Clergie men not beneficed, or of ordinations to the title of patrimonie or any other, and all inconueniences will be remedied. For there will be no idle person in the Clergie, from whom innumerable mischiefes and badde examples doe come; there will bee no beggar, nor any forced to vse base trades. They said, that no reformation was good, but that which did reduce things to their beginning; that the Primitiue Church did continue many yeeres in perfection, and that the integritie thereof could by this meanes onely be restored. There was another opinion, that none should be denied to take holy orders, who, for honestie or sufficiencie, did deserue them, although they were poore, alledging that the poore were not excluded in the Primitiue Church, which did not dislike that Clerkes and Priests should liue by their labour, by the example of S. *Paul* the Apostle, and of *Apollo* the Euangelist, who liued by making paulions. And after that Princes became Christians, *Constantius* the sonne of *Constantine*, gaue, in his first Consulship, a priuiledge to the Clergie, that they should not pay any Subsidie for that which they did traffique in shops and worke-houses, because they gaue some of their gaines to the poore. The instruction of S. *Paul* to the faithfull was obserued, that they should labour in honest workes, that they might haue whereof to giue to the poore. They said that an idle and wicked life was vnseemly in the Clergie, because it gaue scandall; but to liue of ones labour was honest, and tended to edification; and if any were forced to begge because of sickenesse, it was no shame, no more then to the Friars, who holde it for a glory to be accounted beggars; that it was not a Christian proposition, that to labour, to liue by ones hands, to begge in case of impotencie, was vndecent to the Ministers of Christ, and that nothing was vnseemly but vice. And if any thought that want was cause of theft, or other sinnes, he shall finde, when he thinketh better on it, that these be sinnes of the rich rather then of the poore, and that auarice is more impotent, and vntamed, then pouerty, which, being alwayes busie, doeth take away occasions of doing ill. An honest man and a poore man are compatible, but not an honest man and an idle man. The great benefite which the Church militant in this world, and that which is in purgatorie doeth receiue by Masses, celebrated by poore Priests, and not by rich, is both written and preached; of which number if none were, the faithfull liuing, and the soules of the dead would be depriued of great suffrages; that it were better that a strict order should be made, that persons of honestie and sufficiencie should be ordained without a title, seeing that now the cause doth cease for which Antiquitie forbad it, which was, for that those who had titles, labouring in their Ecclesiasticall functions, did edifie, and the others, being idle, did giue scandall, Concerning Simonie.

In which point diuers opinions are deliuered in Councel.

1562 Pius 4 Ferdinand. Elizabeth. Charles 9.

scandall, whereas now those that haue titles doe, for the most part, disdaine the Ecclesiasticall ministerie, and liue in pleasure, and the poore performe the functions, and doe edifie.

This opinion was not followed by many. But a middle opinion had great applause; which was, that the vse should bee still obserued, not to ordaine without a title to an Ecclesiasticall benefice, or a sufficient patrimonie, that Priests might not dishonour their order by begging, and that it should bee constituted, to remooue all fraud, that the Bishop should prouide that the patrimonie, to which the Clerke is ordained, might not bee alienated. *Gabriel de Veneur*, Bishop of *Vuiers*, contradicted this, and said, that the patrimonie of Clerkes is a secular thing, concerning which the Clergie cannot possibly make any law: besides many occasions may arise, for which the Law or the Magistrate may lawfully command it to bee alienated. And it is generally true that the patrimoniall goods of Clerkes, for prescriptions, and all sorts of contracts, are subiect to the ciuil lawes; and therefore that they ought to consider wel of the businesse, before they assume authoritie to breake a ciuill contract.

Concerning Simonie.

The occasion of proposing the third Article was, because the precept of CHRIST, that all spirituall graces should bee freely conferred, as *they are freely receiued* from him, was many waies transgressed in the collation of *Orders*: which abuse was not new, but greater in former times. For, in the beginning of Christianitie, charitie abounding, the people who receiued spirituall things, from the Ministers of CHRIST, did not onely, according to the diuine precept expounded by S. *Paul*, contribute to them as much as serued for their necessities, but enough also to maintaine the poore, neuer thinking that the temporall was a price of the Spirituall. But after that the temporall, which was held and inioyed in common, was diuided, and a reuenue applied to the titles, called a Benefice, the ordination being not then distinct from the collation of the title, and by consequence of the Benefice annexed to it, but both being giuen and receiued together, it seemed to the ordainers, that, beside the spirituall thing, they gaue also a temporall, for which they might receiue another temporall thing in recompense, which hee that would obtaine, was forced to accommodate himselfe to the will of him that could giue it, so that open buying and selling was easily brought in, which, in the orientall Church, could neuer be corrected, though many Canons and censures were made against it. Yet it was much diminished, because God tooke from them, by the rod of the Saracens, a great part of their goods. And, in the West, though it was much reprehended by good men, yet it continued, in some places more, in some lesse, vntill, about the yeere 1000. the ordination was diuided from the collation of the Benefice, for which cause that did beginne to passe for nothing, and Simonie did still continue in this, and that more openly then before. And this abuse did alwayes increase, though vnder diuers names of *Annates*, small seruices, writing, seale, and other pretences, which the Church still vseth, with small hope that they can euer be taken away, vntill CHRIST come againe, with his whip, ouerthrow the tables of the money changers, and chase them out of the Temple. But the ordination, which, being separated from the Benefice, had

had the fortune to bee conferred freely, did inioy it but a ſmall time. For the Biſhops eſteeming it vnprofitable and baſe, and regarding more the other which yeelded fruit, left off, by little and little, to adminiſter the ordinations; ſo that titular Biſhops were inſtituted, who performed the Pontificall Eccleſiaſticall miniſteries, and the true Biſhops buſied themſelues in the temporall onely. Thoſe, hauing no reuenues, were forced to maintaine themſelues by the adminiſtration of thoſe functions. Whereupon hee that receiued *Order* was compelled to contribute, firſt by the name of almes or offering, afterwards, to make it more honourable, by the title of donatiue or preſent, and, proceeding further, that it might not bee omitted as being a dutie, it was couered with the name of reward, not of the *Ordayner*, but of his ſeruants, or of the *Notarie*, or of ſome other who ſerued him in the ordination. Therefore in this Article it was propoſed, that the abuſe occurring in the collation of Benefices ſhould not bee ſpoken of, as beeing an infirmitie, not cureable with any remedie but death. 1562 Pius 4. Ferdinand Elizabeth. Charles 9.

Concerning which the Prelates were diuided, not by opinions or affections, but by qualitie of perſons. The rich Biſhops condemned the receiuing of any thing, either for themſelues or their officers, or Notaries, as Simonicall, and ſacrilegious, bringing the example of *Iehezie* ſeruant of the Prophet *Elizeus*, and of *Simon Magus*, and of the ſeuere commandement of Christ, *Giue freely as you haue receiued.* They alleadged alſo many exaggerations out of the Fathers, againſt this ſinne, ſaying, that the names of a voluntarie donatiue, or almes, are vaine colours repugnant to trueth, becauſe the gift is beſtowed for the *Order*, without which it would not haue beene giuen. And if it bee an almes, why is it giuen vpon that occaſion onely? let it bee made at another time, and *Orders* conferred without the interuention of any thing. But the miſchiefe is, that if one ſhould tell the *Ordainer* that hee gaue him an almes, hee would holde it for an iniurie, nor would receiue it at another time. Therefore they ought not to beleeue, that they could deceiue God and the world. They concluded that an abſolute Decree ought to bee made, that nothing ſhould bee giuen, though willingly, or vnder the name of almes, nor receiued, not onely by the *Ordainer*, but alſo by any of his, or by the *Notarie*, vnder the name of writing, ſeale, paines, or any other Pretence whatſoeuer.

But the poore Biſhops and the Titular ſaide to the contrarie, that as to giue order for a price was a wicked ſacriledge, ſo to take away almes, ſo much commended by Christ, did deſtroy charitie, and wholly deforme the Church. That there was the ſame reaſon abſolutely for *Ordinations*, which is for *Confeſſions*, *Communions*, *Maſſes*, *Burials* and other Eccleſiaſticall functions; and therefore no cauſe why that ſhould be forbid in *Ordination*, which is allowed in all theſe; and the allegation, that if it bee an Almes, let it bee giuen at another time, is of as much force in all the other functions. The Church hath vſed, from the beginning, to receiue oblations and almes, vpon theſe occaſions, which if they ſhall bee taken away, the poore religious perſons, who liue of them, will bee forced to take ſome other courſe, the rich will not performe the offices, as doeth, and, for the ſpace of fiue hundred yeeres, hath plainely appeared; ſo that the exerciſe of Religion will bee loſt,

1562 and the people, remaining without it, will fall into impietie, and diuers pernicious ſuperſtitions. And if thouſands of crownes are giuen without reprehenſion for the veſtments which the Apoſtolike Sea giueth to the Metropolitans, how can a ſmall acknowledgement be reprehended, which the Biſhop receiueth from the inferiour Orders? What reaſon is there that things of the ſame kinde ſhould be ordered by contrarie lawes? That cannot bee called an abuſe which was inſtituted in the beginning. And it remaineth ſtill in the *Pontificall*, that wax candles are preſented, by thoſe that are ordained, to the Biſhop ordaining, at the offering place, in time of the *Ordinations*, which bee temporall things, and, if they bee great, and well adorned, may coſt much. It is not therefore ſo bad as it is painted out, neither can the oppoſites gaine, by the infamie of poore Biſhops, the name of reformers, imitating the Phariſees, in obſeruing moathes, and ſtraining at gnats.

Pivs 4. Ferdinand. Elizabeth. Charles 9.

Some ſaide alſo that it could not be conſtituted, as being contrarie to the decree of *Innocentius* the third, in the generall Councell, where the vſe of giuing and receiuing a temporall thing, in the miniſterie of the Sacraments, is not onely approoued, but the Biſhops are commanded to compell the people, by cenſures and Eccleſiaſticall puniſhments, to obſerue the cuſtome, giuing the title of laudable to thoſe things, which now ſome goe about to condemne as ſacrilegious.

But *Dioniſius*, Biſhop of *Milopotamus*, made a long digreſſion, to ſhew how the faithfull would bee edified, if the Sacraments were adminiſtred by the Clergie for pure charitie, expecting no reward but from God onely. Hee affirmed that neceſſaries were to bee allowed them, and greater prouiſion alſo; but that this was ſufficiently and ſuperaboundantly done, by the aſſignation of Tithes, becauſe they, not being the tenth part of the people, doe receiue ſo great a portion, beſides other poſſeſsions which are double as much. Therefore it is not iuſt to demand that which is alreadie receiued an hundred folde; and if the Biſhops bee poore, it is not becauſe the Church is poore, but becauſe the riches are ill diuided. With an euen diſtribution euery one might bee fitted; and that might be giuen without counter-change, for which more then the iuſt price hath beene alreadie receiued. He added, that, if this multitude of abuſes could not bee taken away altogether, it would bee good to beginne with that of Ordinations, not reſtraining it to the onely action of conferring the Sacrament, but extending it alſo to the precedent. For it would be a great abſurditie that one ſhould pay too deere, in the Chanceries of Biſhoprickes, for *dimiſorie* letters, by which the Clerke hath leaue to finde out one that will ordaine him, and in *Rome* to be ordained out of the times appointed, and lay the reformation onely vpon the Biſhops that doe ordaine. This opinion was approoued by many, in reſpect of the *dimiſories* of Biſhops; but concerning the *Faculkie* giuen at *Rome*, the Cardinall *Simoneta* ſaide, that the Pope would prouide for it, and that it was not a thing to be handled in Councell.

Concerning the reward of *Notaries* ſome thing was ſayd. For ſome eſteeming it an office purely ſecular, thought that their pay ought not to be ſtopped. Others held it for an Eccleſiaſticall office. *Antonius Auguſtinus*, Biſhop of *Lerida*, an antiquarie, ſaid, that in the ancient Church the Miniſters were

ordained

ordained in preſence of all the people, ſo that there was no neede of letters Patents or teſtimoniall, and after they had gained a title they did not change Dioceſſe; and if, for any cauſe, they did make a iourney, they had a letter from the Biſhop, then called *Formata*. The vſe of letters teſtimoniall began after that the people left to bee preſent at the *Ordinations*, and the Clerkes began to bee vagabonds, and, being introduced in ſupplement of the preſence of the people, is to bee eſteemed a temporall office; but, becauſe it is applied to a ſpirituall matter, it is to bee vſed with moderation. Therefore his opinion was, that ſome reward ſhould bee allowed for them, but moderated, and limited. 1562. Pius 4. Ferdinand. Elizabeth. Charles 9.

That which was propoſed in the fourth point belongeth onely to the Collegiate Churches; which hauing by their inſtitution, this function, amongſt others, to aſſemble themſelues in the Church to praiſe God, at the houres appointed by the Canons, which therefore are called Canonicall, rents were annexed to them for the maintenance of the Canons, diſtributed amongſt them in one of theſe foure manners. For either they liued at a common table and charge, as the Regulars, or euery one had his portion of rents aſſigned to him, (which therefore was called a Prebend) or, the ſeruice being ended, all was diſtributed amongſt them, either in meate, or money. Thoſe that liued in common continued in that diſcipline but a ſmall time, but came to diuiſion, either into Prebends, or diſtributions to the Prebendaries, excuſing thoſe from performing thoſe diuine offices, who, by reaſon of infirmitie, or ſome ſpirituall buſineſſe, could not be preſent. It was an eaſie thing to find a pretence, and begin an vſe of being ſeldome in the Church, and to enioy the Prebend notwithſtanding. But hee, vnto whom the meaſure was diſtributed after the worke was done, could not be excuſed; ſo that diſcipline, and frequencie in the *Offices* remained longer in this ſecond kinde, then in the firſt. For this cauſe the faithfull, when they gaue or bequeathed any thing to the Churches, ordained it ſhould bee put in diſtributions: and experience ſhewed, that the greater the diſtributions were, the better the *Offices* were performed, and that the negligence of thoſe who did not aſſiſt in the offices might bee redreſſed, by taking part of the Prebends and making diſtributions thereof. This was much commended by many of the Prelates, thinking the worſhip of God would bee much inlarged hereby; whereof there could no doubt bee made, becauſe it did appeare alreadie by experience. And this was all which was ſpoken for a ground of this opinion. Concerning diſtributions.

But *Lucas Biſantius*, Biſhop of *Cataro*, a godly man, but poore, ſpake to the contrary, that rather the Prebendaries ſhould bee forced, by cenſures, and depriuations of part, or of all the fruites, and of the Prebends themſelues, but that the firſt forme ſhould not bee altered. For almoſt all theſe inſtitutions beeing made by the laſt will of the faithfull, they ought to be obſerued inuiolably, and without alteration, not onely vpon pretence of better, but not for that which is truely and certainely better, in regard it is not iuſt to meddle with that which belongeth to another, becauſe hee doth not vſe it well. But, which is of more importance, to exerciſe a ſpirituall function for reward is vndoubted Simonie, ſo that by driuing out one euill, another

1562
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.

ther would enter farre worse, making negligent men to become Simoniacall. The other part answered, that the Councell had power to change last willes; and, for assisting at diuine *Offices* for gaine, one must distinguish, that the gaine is not the principall, but the secondary cause, and therefore there is no sinne in it; for the Canons will goe to Church principally to serue God, and secondarily for the distributions. The others replied, that they saw not how the Councell had greater power ouer the goods of the dead, then of the liuing, which no man is so impertinent as to pretend; and besides the doctrine is not so secure as it is affirmed, that it is lawful to serue God for gaine secondarily. And if it were, it is not a secondary, but a principall cause, which first mooueth, and without which the worke would not bee done. This opinion was not pleasing, and raised much murmuring in the Congregation. For euery one beeing conscious to himselfe that hee receiued the title and charge onely in regard of the rents, did thinke hee was condemned. Therefore the Article had great applause that the Prebends should bee turned into distributions, to incite men to serue God, in the best manner they could.

Fathers are deputed to frame the Decrees.

These Articles hauing beene thus discussed, Fathers were deputed to make the Decrees; and it was proposed that, in the next Congregations, they should speake of sixe more, leauing that of secret mariage for another Session. The next day the Legates and Deputies met, to collect the substance of the opinions of the Fathers; and, concerning the first Article, of Residencie, they dissented amongst themselues. *Simoneta* fauoured the opinion, that it was *de iure positiuo*, and saide, that the greater part, euen those who held it was *de iure diuino*, thought fit that the question should bee omitted. *Mantua*, without manifesting his owne opinion, saide that the greater number did demand a declaration of it. Of the other Legates, *Altemps* followed *Simoneta*, and the other two, though with some caution, adhered to *Mantua*. And this difference did not passe without some bitternesse, though modestly expressed. For this cause the Legates held a generall Congregation, the 20. day; in which the demand following was read out of a paper: that is; Because many Fathers haue said that residence is *de iure diuino*, some haue said nothing, and others spoken against the making of the declaration, to the end, that those who are deputed to make the Decrees, may make them quickely, easily, and securely, your Lordships may bee pleased to deliuer your opinions, onely with the word *placet*, whether you approoue or disprooue the declaration, that residencie is *de iure diuino*: because, according to the custome of this holy Synod, the Decree shall bee made as the greater number shall giue their voices; which because they had beene formerly deliuered in great variety, they desired that they would all speake distinctly, one after one, that their suffrages might be noted.

The Legates dissent in opinion concerning Residence.

And so doe the Prelates.

All hauing giuen their voices, 68. saide *Placet* absolutely: 33. *Non Placet* absolutely. 13. said *Placet*, *consulto prius Sanctissimo Domino nostro*: and 17. answered, *Non placet, nisi prius consulto Sanctissimo Domino nostro*. The 13. did differ from the 17. because they did absolutely approoue the declaration, yet were ready to change their opinion, if the Pope thought otherwise: the 17. did absolutely not approoue, yet were content to be of the Popes opinion, if

he

he did like it. This was a very ſubtile difference, and vſed onely where euery one doth thinke to doe his Maſter the beſt ſeruice. The Cardinall *Madruccio* would not preciſely anſwere to the interrogation, but ſaid, he referred himſelfe to his voice, deliuered in Congregation, which was in fauour of *Ius diuinum*. And the Biſhop of *Budua* ſaid, that hee held the affirmatiue as already concluded, and that he thought fit it ſhould be publiſhed. The voyces beeing collected and diuided, and it appearing that the greater part, by one halfe, did approoue the declaration, that a fourth part onely did diſlike it, and that others, though conditionally, were with the firſt, they came to words of ſome bitterneſſe, and the reſidue of the Congregation was ſpent in diſcourſing heereof, not without much confuſion. Which the Cardinall of *Mantua* perceiuing, made a ſilence, and, exhorting the Fathers to modeſty, gaue them leaue to depart. 1562 Pivs 4. Ferdinand. Elizabeth. Charles 9.

The Legates conſulted what was fit to bee done; and agreed to giue the Pope an exact account of all, and expect his anſwere, and in the meane while to proſecute in the Congregations the Articles remayning. *Mantua* would haue ſent his Secretarie, *Camillus Oliuo*, by poſt, with letters of credence, and *Simoneta* would haue all expreſſed in the letters. They concluded to temper theſe two opinions: that is, to write a very large letter, and referre that which remained to the Secretary: who the ſame day parted from *Trent*, in the euening. This, though ſecretly caried, came to the knowledge of the Spaniards; who much complained that they ſaw a beginning made of an vnſupportable grieuance, that euery treaty ſhould not onely bee ſent, but conſulted of and reſolued alſo at *Rome*; that the Councel aſſembled twiſe before in that City, was diſſolued without fruit, yea with ſcandall alſo, becauſe nothing was reſolued by the Fathers, but all in *Rome*; ſo that a blaſphemous Prouerbe was generally vſed, that, *the Synod of Trent was guided by the holy Ghoſt, ſent thither, from time to time, in a cloake-bagge, from Rome*. And that thoſe Popes who abſolutely refuſed the Councel gaue leſſe ſcandall, then thoſe who haue aſſembled it, and hold it in ſeruitude. The world was in hope that, if once a Councel might be obtayned, all inconueniences would be redreſſed; but hauing obſerued how things were caried, vnder two Popes before, and how they are gouerned now, all hope of any good is extinguiſhed, nor any more to be hoped for from the Councel, if it muſt ſerue to be a miniſter of the intereſts of the Court of *Rome*, and mooue or ſtand ſtill at their pleaſure.

Whereof the Legates giue the Pope an account.

To the great diſcontentment of the Spaniſh Prelates.

A blaſphemous prouerb was vſed againſt the proceeding of the Councel.

This gaue occaſion, beginning in the next Congregation to diſcuſſe the Articles propoſed, brieflie to ſpeake of the point of Reſidencie. The Cardinall of *Varmia* ſaide, that that matter was ſufficiently treated on; that the Decree ſhould bee framed to reſolue it; which beeing propoſed euery one might ſay what hee thought fit: but hee could not quiet the humors that were mooued. Therefore the Arch-biſhop of *Prague*, the Emperours Ambaſſador, made a continuate ſpeach, to exhort the Fathers to proceed peaceably and with leſſe paſſion, admoniſhing them to conſider what did become their perſons, and that place: But *Iulius Superchius*, Biſhop of *Caurle*, anſwered cholerikely, that nothing doth leſſe beſeeme the Councel, then to lay a law vpon the Prelates, eſpecially when it is done by one who repreſenteth a Secular authority; and vſed ſome biting termes: ſo that the Congregation

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.

was like to be diuided into parts. *Varmienſe*, who was Preſident in it, ſeeking to moderate them, diuerted the ſpeech vpon other Articles, appointed for that day, and propoſed that ſome meanes ſhould bee vſed to ſet at liberty the Engliſh Biſhops, who were in priſon in *England*, that, comming to the Councel, it might bee ſaid, that that noble Nation was preſent alſo, and not wholy aliened from the Church. This pleaſed all: but the common opinion was, that it might ſooner be deſired then hoped for. They concluded that the Queene hauing refuſed to receiue a *Nuncio*, expreſſely ſent from the Pope, it could not be hoped that ſhe would hearken to the Councel. Therefore all they could doe was to perſwade Catholique Princes to mediate for them. The 25. being S. *Markes* day, the Venetian Ambaſſadors were receiued, in the generall Congregation; whoſe *Mandat* beeing read, dated the 11. of the ſame Moneth, and an Oration made by *Nicolas di Ponte*, one of them, an anſwere was giuen in the vſuall forme.

A conſultation in the Councel to ſet at liberty the Engliſh Biſhops who were inpriſon.

The Venetian Ambaſſadours are receiued in Congregation.

In thoſe few daies, the wiſeſt amongſt the Prelats, conſidering what a diſreputation it would be to the Councel, and themſelues, if thoſe ſtirs were not pacified, endeuoured to pacifie mens minds by ſhewing that if the Cõciliary actiõs were not proſecuted without tumult, beſides the ſcãdall & the ſhame, the diſſolution of the Councell, without doing any good, would neceſſarily follow. This remonſtrance tooke effect; and cauſed them to treat peaceably of the ſixe Articles remaining; of which there was not much to be ſpoken. For the fifth, the prouiſion was thought neceſſary; but there was a difficultie concerning the manner, becauſe the diuiſion of Pariſhes was firſt made by the people, when a certaine number of inhabitants, hauing receiued the true faith, built a temple for exerciſe of their religion, hired a Prieſt, and did conſtitute a Church, which, by the neighbours, was called a Pariſh; and when the number was encreaſed, if one Church and Prieſt were not ſufficient, thoſe who were moſt remote did build another, and fit themſelues better. In progreſſe of time, for good order and concord, cuſtome began to haue the Biſhops conſent alſo. But after that the Court of *Rome* aſſumed by reſeruations the collation of Benefices, thoſe who were prouided of them from *Rome*, when the diuiſion of great Pariſhes, and, by conſequence, a diminution of their gaine was in queſtion, oppoſed themſelues, by the fauour of the Pope; ſo that nothing could be done herein, without going to *Rome*: which when it hapned, eſpecially beyond the Mountaines, in regard of the impediments of *Appeales*, and other ſuites, it was a thing of great charge. To prouide againſt theſe inconueniences in Councell, the Prelates thought, that where one Church was ſufficient for a people, but not one Rector, the titles ſhould not be multiplied, becauſe where many Curats are, there muſt needes be diuerſitie of opinions; but that the Biſhop ſhould compell the Pariſh Prieſt to take other Prieſts to aſſiſt him, as many as were needfull: but where the largeneſſe of the habitations did require, he ſhould haue power to erect a new Pariſh Church, diuiding the people and reuenewes, or compelling them to make a ſufficient reuenew by contribution. Only *Euſtathius Bellai*, Biſhop of *Paris*, who came not long before, told them, that in regard of the laſt part, the Decree would not be receiued in *France*, where they doe not conſent that the Laitie may be commanded, in a temporall matter,

The diuiſion of Pariſhes.

by

by Eccleſiaſticall authoritie, and that it was not for the reputation of a ge- 1562
nerall Councell to make decrees, which would be reiected in any Prouince. PIVS 4.
Fryar *Thomas Caſellus*, Biſhop of *Caua*, replied, that the French-men doe not FERDINAND.
know that this power is giuen to the Councell by CHRIST and S. *Paul*, ELIZABETH.
who haue commaunded that maintenance ſhould be allowed by the peo- CHARLES 9.
ple, to thoſe that ſerue them in ſpirituall things, and that the French-men, if they will be Chriſtians, muſt obey. *Bellay* replyed, that vntill then hee had vnderſtood that which CHRIST and Saint *Paul* do grant to the Miniſters of the Goſpel, to be a power to receiue maintenance from him that doth voluntarily giue it, and not to conſtraine any to giue; and that *France* would euer bee Chriſtian. And he paſſed no further.

The ſixth and eighth Articles would not haue needed a decree, if the Biſhops had kept their authoritie, or if it had continued in the Pariſh Prieſts, or in the people, to whom ſuch prouiſions did formerly belong, as hath been ſaid, and ſhould do ſtill by all reaſon. But the neceſſitie of handling theſe matters proceeded from the reſeruations made to *Rome*. The Prelats were all of the ſame opinion, that prouiſions were requiſite, yet ſome would not conſent they ſhould bee made, becauſe they would not meddle with the Popes authoritie, by treating of things reſerued to that Sea, eſpecially in ſo great a number. *Leonard*, Biſhop of *Lanciano*, ſpake of it as of a point of iuſtice, that all the offices of the Apoſtolike *Chancery* being ſold, it was not fit to diminiſh the diſpatches made there, becauſe it would take away part of the profit, without the conſent of the buyer; and therefore that theſe prouiſions ought to be made in *Rome*, where the intereſt of all would bee conſidered. And this Biſhop would haue proceeded further, in regard of the intereſts himſelfe and his friends had in thoſe offices, if the Arch-biſhop of *Meſſina*, a Spaniard, who ſate next, had not told him that nothing ſhould be reſolued before it were conſulted of, and conſented to in *Rome*. They called to mind that which was done in the firſt Councell, when authoritie was giuen to Biſhops, concerning things reſerued to the Pope; that is, to adde, that they ſhould doe it as delegates of the Apoſtolike Sea; which counſell was followed in all decrees, made concerning ſuch matters.

In the 7. though euery one thought fit that the people ſhould bee ſerued by perſons ſufficient for the miniſtery, and of good behauiour, yet they ſaid it was enough, and very much, to prouide for the future, becauſe thoſe lawes which looke backe and diſpoſe of things paſt, are euer accounted odious, & tranſcendent. Therefore they thought it ſufficient to prouide fit perſons for hereafter, tolerating thoſe who are in poſſeſſion already. The Arch-biſhop of *Granata* ſaid, that the deputation of any vnfit perſon to the miniſterie of CHRIST, was not ratified by his diuine Maieſtie: and therefore was void, the poſſeſſor hauing no right: and that they were bound to remoue him that was vnfit, and to put an other ſufficient perſon in his place. But this opinion was not followed, as being to rigid, and impoſſible to be executed, becauſe there was not a iuſt meaſure of neceſſary ſufficiency. Therefore the middle way was taken, not to exceed the propoſition of the Article, but making a difference betweene the ignorant and ſcandalous, to proceede againſt the former with leſſe rigour, as being leſſe culpable. And as it belongeth to

the

1562 Pivs 4. Ferdinand. Elizabeth Charles 9.

the Biſhop by all reaſon, to make prouiſion when the collations come not from the Pope, ſo, in this caſe alſo it ſhould be graunted vnto him, as *Delegate* of the Apoſtolike Sea.

How Commendaes began.

To treat of the viſitation of Benefices commended, in the ninth article, occaſion was giuen by a good vſe, degenerated into a great abuſe. In the incurſions which the *Barbarians* made vpon the Weſterne Empire, it often hapned that the Churches were depriued of their Paſtours, when thoſe vnto whom it did canonically belong to make prouiſion of ſucceſſors, could not doe it, as being hindered by inuaſions, ſieges, or impriſonments: whereupon, that the people might not continue long without ſpirituall gouernment, the principall Prelats of the Prouince, or ſome of the neighbours, did recommend the Church to ſome Cleargie man, conſpicuous for pietie, and honeſtie, and fit for gouernment, vntil, the impediments being remooued, a Paſtor might be canonically elected. The Biſhops and next Pariſh Prieſts did the like, when the like vacancies hapned in the Countries; and alwaies he that did commend another, did ſeeke to imploy a man of note, and he that was commended, did labour to anſwere the expectation; ſo that great fruit did enſue, to the ſatisfaction of al. But as alwaies ſome corruption wil in time creep into good things, ſome of the Cõmendataries began to think not only of doing the Church good, but to draw ſome profit to thẽſelues alſo, and the Prelats likewiſe to cõmend Churches without neceſſitie. The abuſe increaſing, a Law was made, that the *Commenda* ſhould not laſt aboue ſixe moneths, nor the Cõmendatarie participate of the fruits of the Benefice commended. Howſoeuer, the Popes, pretending to be aboue this law, did not only cõmend for a longer time, and grant an honeſt portion to the *Commendatarie*, but did commend alſo for terme of life, granting all the fruits vnto the perſon commended, as vnto the *titular*. Yea they made the forme alſo quite contrary. For whereas it was formerly ſaid in the Buls, We doe recommend vnto thee this Church, that it may be well gouerned in the *interim*, they began to ſay, We recommend vnto thee ſuch a Church, that thou mayeſt maintaine thy ſtate, with a greater dignitie. And moreouer they ordained, that if the *Commendatarie* died, the Benefice ſhould remaine at their diſpoſition, ſo that they could not be hindred by the Patron. And the *Commendataries* being placed by the Pope, the Biſhops could not meddle in thoſe Churches, and euery one in Court was more willing to get Benefices in *Commenda*, then in Title, to exempt themſelues from the ſubiection of the ſuperiour Prelates; ſo that the Biſhop was depriued of authoritie ouer the greater part of the Churches of his Dioceſſe, and the *Commendataries*, not ſubiect to any Superintendencie, ſuffering the buildings to fal, and diminiſhing, or wholly taking away other neceſſary expenſes, hauing no other end, then, according to the proëme of the Bull, to maintaine their owne ſtate, let all goe to deſolation. It ſeemed an indecencie, that the Biſhop ſhould meddle with that which was recommended by the Pope to another; and therefore they thought fit to make a manerly prouiſion againſt this diſorder, granting the Biſhops authoritie to viſite and ſuperintend, but as *Delegates* of his Holineſſe.

The abuſes and impieties of collectors.

The twelfth propoſition was made to remedie the abuſes of the Collectours, becauſe the ancient inſtitution was degenerated alſo. For Hoſpitals, Spittles,

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

Spittles, places for education of Orphans, and such like, being instituted in diuers places for necessitie, without any maintenance but the almes of the faithfull, some godly persons vndertooke the charge to goe about and aske them at mens houses, and, for their credit, had Letters testimoniall from the Bishop. Others, that they might not be hindred by the Bishop, obtained Facultie from the Pope, with Letters of recommendation; which were easily granted, in regard of the profit which came to the Court, for the dispatch of the Buls. This institution was immediatly turned into excessiue abuses, and the least part of the almes collected was bestowed in the right course. Those also who had obtained power to collect, did substitute also base and infamous persons, diuiding the almes with them. The Collectours likewise, to gaine as much as they could, vsed a thousand sacrilegious and wicked artifices, wearing a certaine forme of habit, carrying fire, water, belles, and other instruments to make a noise, that they might amaze the vulgar, and breed superstition in them, telling false miracles, preaching false *indulgences*, asking almes with imprecations and threats of euill and misfortunes, against those that would not giue, and vsing many other impieties like to these, so that the world was much scandalized; but no prouision could be made, in regard of the Apostolicall grants. The Prelats enlarged themselues in this matter, relating the abuses and impieties aforesaid, and many more, shewing that remedies had beene formerly vsed, but without effect, and so would all others prooue that should be attempted: onely one remained, which was to abolish wholly the name and vse of Collectors; in which opinion all concurred. At this time the Ambassadours of the Duke of *Bauaria* came; who refused to present themselues in congregation, except they might haue precedence of the Ambassadours of *Venice*. Whereunto they denying to yeeld, the Legates interposed a delay, that they might receiue answere from *Rome*.

The Ambassadours of the Duke of *Bauaria* contest for precedéce, with the Ambassadours of *Venice*.

The Pope, vnderstanding how the voices were giuen in the congregations concerning residencie, and that the Spaniards did all holde together, made a bad prognostique, and thought that vnion could not be without the Kings knowledge. He said he had a long time knowen, by great experience, that the *Vltramontan* Prelats doe enuie the greatnesse of *Italie*, and of the Apostolique Sea, and, for the suspicion which he had of the King, was ill satisfied with him, as if he had failed of the promise which he made vnto him to preserue his authoritie. The conclusion of all his discourses was, that if the Princes will abandon him, he will haue recourse to heauen; that hee had a million of golde, and knew where to get another; and besides, that God will prouide for his Church. The Court also did perceiue, with great passion, in what danger they were, and thought that these nouities did aime to make many Popes, or none at all, and to hinder all the profits of the offices of the *Chancerie*. Aduise came to him also, from his *Nuncio* in *Spaine*, that the King was ill pleased with the (*Proponentibus Legatis*) constituted in the first Session: and the Pope was so much the more pleased with it, because, by the distast of others, he perceiued they had desseignes to propose something to his preiudice. Yet he caused it to be excused to the King, that it was done without his priuitie, howsoeuer he thought it necessary to represse the petulancie of vnquiet spirits, saying, that the Councel would be like the tower of *Babel*,

The Pope and his Court are much perplexed with aduices, sent vnto them fr6 *Trent* and *Spaine*.

if euery

1562 Pius 4. Ferdinand. Elizabeth. Charles 9.

if euery turbulent perſon might mooue humors as he liſted; that the Legats were diſcreet, and did reuerence his Maieſtie, and would propoſe whatſoeuer ſhould pleaſe him, and giue ſatisfaction to all wiſe and godly perſons. But with the Kings Ambaſſadour reſiding with him, who ſpake hereof, hee proceeded ſomewhat roughly. Firſt he complained, that hee had done bad offices herein; then, relating how the Spaniſh Prelats, as it were ſeditiouſly, proceeded in the Councell, he ſhewed that the Decree was holy and neceſſarie, and that no preiudice was done to any, in ſaying that the Legats ſhall propoſe. *Vargas* anſwered, that if it had beene ſaid onely, the Legats ſhall propoſe, no man would haue complained, but that ablatiue (*Proponentibus Legatis*) did depriue the Biſhops of power to propoſe; and therefore that it was fit to change it into another kinde of ſpeech. Whereunto the Pope anſwered, with ſome diſdaine, that he had ſomething elſe to doe, then to thinke *Cuius generis, & cuius caſus.* The Popes ſuſpicion did not want ground, hauing diſcouered that the Ambaſſadour had ſent many poſts into *Spaine*, and vnto *Trent*, exhorting the Spaniſh Prelats to maintaine their libertie, and deſiring the King that the Councel might not be helde in ſubiection.

But, in the Court, many Prelates hauing written to their friends from *Trent* diuerſly, according to their affections, there was a great tumult, or rather an aſtoniſhment, euery one thinking hee did already ſee *Rome* emptie of Prelates, and depriued of all prerogatiue and eminencie. It did appeare plainely, that the Cardinals reſiding in *Rome* ſhould bee excluded from hauing Piſhopriques; that pluralitie of Benefices was forbid, that no Biſhop or Curate might haue any office in *Rome*, and that the Pope might not bee able to diſpence in any of the things aforeſaid, which are the moſt principall of all that are in his power, ſo that his authoritie would bee much diminiſhed. And they remembred the ſaying of *Liuie*, that *the maieſtie of a Prince is hardly brought from the height to the middle, but is eaſily caſt headlong from the middle to the bottome.* They diſcourſed how much the authoritie of Biſhops would bee inlarged, who would draw vnto them the collation of Benefices, denying the Popes authoritie for reſeruations; that the Biſhops beyond the Mountaines, and ſome Italians alſo, haue euer ſhewed a bad minde towards the Court, for enuie, and becauſe they cannot ſo eaſily haue place in it; and that they were to take heede of thoſe who remaine in places the moſt remote from *Rome*, for conſcience ſake, becauſe they would doe worſe then all the reſt, in caſe they were able; that theſe hypocriticall Puritans haue a greater ambition then the reſt, though couered, and would faine aduance themſelues by the ruines of others, as *Paul* the fourth did very well ſhew by effects. And becauſe the Spaniards were vnited in this, and exhorted by *Vargas* to perſeuere, many did whiſper that the King was the firſt moouer; who, to gaine Subſidies from the Clergie, hauing two difficulties to ouercome, one in hauing the Popes conſent, the other in taking away the reſiſtance made by Chapters and Colledges, who being the prime of the Nobilitie, exempted from Biſhops, & moſt of them hauing receiued Benefices by the Popes collation, doe oppoſe themſelues without reſpect, did purpoſe to aduance the Biſhops who doe wholly depend on him, and receiue their Biſhopriques by his preſentation, by freeing of them from ſubiection to the Pope, and ſubiecting

iecting the Chapters and Colledges vnto them, and so, by their meanes, to gaine an easie and absolute dominion ouer the Clergie. 1562

Pivs. 4. Ferdinand. Elizabeth. Charles 9.

The Court did generally complaine of all the Legats for proposing the article, or suffering it to be proposed; saying, that it was formerly ordained with great arte, that they onely should propose, onely to resist the attempts of those who were ill affected to *Rome*, and that they could not be excused, because they had an example of a disorder, which this dispute caused in the first Councell. Aboue all, they complained of *Mantua* and *Seripando*, and especially of *Mantua*, because, with his reputation and credit, he might easily haue withstood all inconueniences. They said it was necessary to send other Legats, more inclined to the common good, not Princes, nor Friars, but such as had passed through the degrees of the Court. And the generall voice did designe *Iohn Baptista Cigala*, Card. of S. *Clement*, in the first place, because he had shewed himselfe a stout champion for the Popes authoritie, in the offices of *Referendarie*, and *Auditor* of the *Chamber*, with much commendation and encrease of the affaires of *Rome*; who, being superiour to *Mantua*, ought to holde the first place, which would make him retire.

The Pope caused many congregations to be holde by the Cardinals, deputed to consult of the affaires of the Councell: who hauing thought of diuers remedies to stop the current of this euill, he began to speake of the businesses much more quietly and correctly then before. He did not condemne the opinion of those who said, that residencie was *de iure diuino*, yea he commended them for speaking according to their conscience; and sometimes hee added, that perhaps that opinion was the better. But hee complained of those who referred themselues vnto him, because the Councell was assembled, that euery one might deliuer his owne opinion, and not lay the things of difficultie vpon the backe of another, that themselues might auoid hatred and enuie. The differences betweene his Legates did displease him, which they ought not to haue published, with scandall, but, concealing them, to haue composed them betweene themselues, or referred them to him. And as hee was pleased that euery one should deliuer his opinion freely, so hee blamed the practises which many vsed, to subuert others, with deceipts, and almost with violences. And he could not choose but be troubled with that which was spoken concerning the libertie of the Councel, and that to consult of the matters thereof at *Rome* was to violate it; saying it was a strange thing, that hee, who was Head of the Church, and the Cardinals, who were principall members, and other Prelates in *Rome*, who haue voyce in the Councell, should bee accounted strangers, and may not bee informed of what is handled, and speake their opinion, whereas those who haue no lawfull part in it, hold it lawfull to intermeddle, and that in an ill sort; that it is plaine, that the Prelates went to *Trent*, with commission from their Princes, according to which they proceede; that the Ambassadours, by letters and perswasions, doe compell them to follow the interests of their Masters, and yet, for all this, no man saith (which should bee said) that the Councell is not free. This hee amplified, in all his discourses, with much vehemencie, adding, that to say the Councell was not free, was a colour vsed by him who was not willing to see a good end thereof, hoping to dissolue

it,

1562 it, or to take from it all reputation; all which he held to be secret fauourers of heresie.

Pius 4. Ferdinand. Elizabeth. Charles 9.

Finally, after hee had conferred and often consulted with all the Ambassadours residing with him, of this particular, the ninth of May assembling all the Cardinals, hee caused the aduices sent from *Trent* to be read, and declared the summe of the former consultations, and the necessitie to walke cunningly and constantly in this businesse, intimating that many had conspired against the Apostolike Sea. Afterwards hee caused the answere to bee read which he purposed should be sent to *Trent*; which in substance did containe two points. That the Councell was free on his part, and euer should. That it was fit hee should bee acknowledged for Head, and receiue that respect which is due to the Apostolike Sea. He asked the opinion of all the Cardinals: who did vniformely commend the answere. Some told him that, in regard of the differences betweene the Legats, it were good to send others, some of the most extraordinarie persons; and others said that the importance of the businesse did require that his Holinesse and the whole Colledge should goe to *Bolonia*, that they may be neere to *Trent*, and to giue better assistance, as occasion should be offered. Whereunto the Pope answered, that hee was readie to goe, not onely to *Bolonia*, but to *Trent* also, if there were neede, and all the Cardinalls offered to follow him. They consulted of sending other Legates, and resolued not to speake any more of it as yet, becausse *Mantua* would depart, which would bee a great preiudice to the reputation of the Councell, in regard of the opinion which the Emperour, King of *Spaine*, and almost all Princes haue of his honestie, and of the credit hee hath with the greater part of the Prelates of *Trent*.

The Popes answere sent to *Trent*.

A consultatiō in *Rome* about sending other Legates.

The letters being dispatched, hee dealt with the Ambassadors of *Venice* and *Florence*, that their Princes would recommend the cause of the Papacie to their Ambassadours in *Trent*, and command them to cause the Prelates of their States, not to be present in the Parlies against the Apostolique Sea, and not to bee so earnest in the point of Residencie. Afterwards hee called all the Bishops remayning at Court, and shewed them what seruice their presence might doe in *Trent*, and the necessity thereof. Hee loaded them with promises, gaue money to those who were poore, and dispatched them to the Councel. This hee did, to encrease the number, against they should speake of Residencie, and becausse 40. French-men were expected, from whom hee could not prognosticate any good. And not to haue *France* his opposite, whose Ambassadors would bee in *Trent* very shortly, hee resolued to giue the King 100000. crownes, and to lend him as much in the name of Marchants, vpon sufficient assurance for the principall and the interest, so that he would in earnest, and without dissimulation, reuoke the Edicts, and make warre for religion; that with that money *Suisses* and *Germanes* might bee leuied to bee vnder the conduct of his Legate, and the coulors of the Church; that no *Hugonot* should be pardoned, without his consent; that the *Chancelor*, the Bishop of *Valence*, and others, to bee named by him, should be imprisoned; that in the Councel nothing should bee handled against his authority, and that his Ambassadours should not make mention of the Annats.

The Pope maketh plots to maintaine the greatnesse of the Apostolique Sea.

nats. Yet he promiſed to accord with the King in that matter, and to reforme it, to the ſatisfaction of his Maieſty. 1562

Pius 4. Ferdinand. Elizabeth. Charles 9.

Afterwards the Pope conſulted on the point of Reſidence, that, when there was occaſion, hee might ſpeake thereof correctly, without preiudice to himſelfe, or ſcandall to others. And hauing well diſcuſſed the reaſons, hee ſetled his opinion to approoue it, and cauſe it to bee executed vpon what law ſoeuer it were grounded, whether Canonicall, or Euangelicall. And ſo he anſwered the French Ambaſſadour, who ſpake to him of it; adding, that he alone is deputed to ſee the execution of all the Euangelicall precepts. For CHRIST hauing ſaid to S. *Peter, feede my Lambes*, hath ordained that all the orders, made by his diuine Maieſtie, ſhall be executed by meanes of him only, and that hee would make a Bull thereof, with a penaltie of depriuation of the Biſhoprikes; which ſhould be more feared, then a declaration which the Councell might make, *de iure Diuino.* And, the Ambaſſadour inſiſting vpon the libertie of the Councell, he ſaide, that, if all libertie were granted vnto it, they would extend it to reforme not only the Pope, but Secular Princes alſo. And this forme of ſpeech much pleaſed his Holineſſe, who was wont to ſay, that nothing was worſe then to ſtand vpon the defence onely, and that, if others did threaten him with the Councell, he would play with them at the ſame weapons.

He conſulteth on the point of Reſidence.

At this time, to begin to execute that which hee had requeſted, and promiſed, that is, to reforme the Court, that the Councell might not meddle with it, hee firſt publiſhed a reformation of the *Penitentiarie*, a very principall member, giuing out a report that hee would ſhortly alſo reforme the *Chancerie*, and the *Chamber*. Euery one did expect that the things belonging to the ſaluation of ſoules ſhould haue beene regulated, which are managed in that office; but in the Bull there was not any the leaſt mention made of repentance, conſcience, or any other ſpirituall thing: onely it tooke away the *Faculties* which the *Penitentiarie* doeth exerciſe, in diuers cauſes beneficiall, belonging to the exterior diſcipline of regular Friars; not expreſſing whether that prouiſion was made to giue thoſe *Faculties* to ſome other officers, or whether hee eſteemed them abuſes vndecent, and would baniſh them from *Rome*. But the euent did immediately take away the doubt. For the ſame things were obtained from the *Datarie*, and by other wayes, only with greater charge. And this was the fruit of the reformation.

And reformeth ỳ Court, in pettie matters onely.

But to returne to *Trent*, the Fathers hauing deliuered their opinions, and the deputies framed nine Decrees (for the Articles of Matrimonie, as alreadie decided, and of reſidencie by conſent of the Legats and of ſome of the Fathers, perſwaded thereunto, were omitted) they propoſed them to be eſtabliſhed in congregation, and to be read in the Seſſion at the time appointed. By reaſon of this omiſſion, the demands of thoſe that fauoured reſidencie were ſtirred vp. Whereunto the Legates anſwering that that Article was not well diſcuſſed, nor was fit to be propoſed in that Seſſion, but that it ſhould bee done in time conuenient, they were more earneſt then before, alleadging that there would neuer be a greater opportunitie, murmuring that it was a tricke neuer to conclude it. But they were forced to relent, ſeeing the Legates reſolute not to handle it then; and becauſe thoſe of the contrary opi-

Another contention about Reſidence.

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

nion, incouraged from *Rome*, did labour more effectually to the contrary. Therefore ſpeaking of the other Articles onely, with ſome few alterations, the nine heads were framed.

The Spaniſh Ambaſſador maketh ſuite to haue the *continuation* declared.

The Marqueſſe of *Peſcara* made earneſt ſuite, in the Kings name, that that Councell might bee declared to be a *Continuation* of the Councell begun vnder *Paul* 3. and proſecuted vnder *Iulius*. He was aſſiſted by the Spaniſh Prelates, and others, who followed them, alleadging that it was to be done, for neceſſitie of faith; and that otherwiſe the determinations already made would be queſtioned, which would be a notable impietie.

And is oppoſed by the Emperors Ambaſſadors.

The Emperors Ambaſſadors vſed ſtrong perſwaſions to the contrary, ſaying they would preſently depart and proteſt. For the Emperor hauing giuen his word to *Germany*, that that *Conuocation* ſhould be a new Councell, he could not indure ſo great an affront. They ſaid they would not, by this meanes, reexamine the things decided, but that while there was hope to reduce *Germanie*, they would not cut it off, eſpecially with ſo much diſgrace of the Emperor. Card. *Seripando* had no other aime but that it ſhould be determined to be a *continuation*, and formerly, in making the Bul of the conuocation, did labour therin, and did now effectually further the Spaniards requeſt. But *Mantua* did conſtantly reſiſt, that ſuch an iniurie might not be done to the Emperour, without neceſsitie; and he found a temper to pacifie the Spaniards; ſaying, that hauing alreadie held 2. Seſsions without making mention of this propoſition, it will bee no preiudice to deferre it alſo to another. The reſolution of the Emperors Ambaſſadors to depart, & the perſwaſion of the Card. cauſed *Peſcara* to proceed more remiſſly. And letters came very fitly from *Lewis de Lanſac*, chiefe of the Ambaſſadours ſent to the Councel from the French King, who, being in his voyage not farre diſtant, wrote to the Legats and Fathers, to pray them that the Seſsion might be proroged, vntil he and his colleagues were come. *Mantua*, making vſe of this occaſion, propoſed the prorogation of the Seſsion; for which though they would not conſent, in regard of maintaining the dignity of the Synod, yet they reſoluced (ſome for one reſpect, ſome for another, and ſome becauſe the humors of reſidence were not well quieted) to celebrate it, without propoſing any thing.

A Seſſion is held.

The 14. day being come, they met in the publike Seſsion, with the vſuall Ceremonies: where the *Maſſe* and the prayers accuſtomed being ended, the Secretarie read the *Mandats* of Princes, according to the order in which the Ambaſſadors preſented themſelues in Congregation: Of the Catholike King, of the Duke of *Florence*, of the *Suiſſes*, of the Clergie of *Hungarie*, and of the Venetians. And the *Speaker* did in a few words, thanke all thoſe Princes, for hauing offered their aſsiſtance for the ſecuritie and libertie of the Councell.

In which nothing is done.

Afterwards the Maſſe-Biſhop pronounced the Decree, in this ſubſtance. That the Synod, for ſome iuſt and honeſt cauſes, hath determined to deferre the promulgation of the Decrees appointed for that time, vntill the fourth of June, for which day it doeth intimate the next Seſsion. And nothing elſe was done in this meeting.

The Spaniſh Ambaſſador parteth from *Trent* 2. dayes before the arriuall of the French Ambaſſador.

So ſoone as the Seſsion was celebrated, the *Marqueſſe* of *Peſcara* parted from *Trent*, ſaying hee muſt returne to his gouernment of *Milan*, becauſe of ſome new ſtirres, raiſed by the *Hugonots*, in the *Delphinate*. But it beeing knowne that thoſe forces were not able to iſſue out of the Country, and that

the Duke of *Sauoy* was between *Milan* and them, many beleeued, that he had commission from his King so to doe, who, desirous that the Councel should proceed, would not haue it interrupted by the controuersie of precedence, which could not haue been auoided, if his, and the French Ambassadors had been in *Trent* together. *Lewis S. Gelais*, Lord of *Lansac*, chiefe of the French Ambassage, arriued two dayes after the departure of the other, and was met vpon the way by many of the Prelats, and particularly by the Spaniards. The next day *Arnold de Ferrieres*, President of *Paris*, and *Guido Faber*, Lord of *Pibrac*, gowned men, Colleagues of the Ambassage, did arriue also. 1562 Pius 4. Ferdinand Elizabeth. Charles 9. The French Ambassadors come to *Trent*

At this time aduice came to the Councell how the Pope, Cardinals, and Court of *Rome*, had censured the Fathers for the point of residence, and many receiued letters from the Cardinals their Patrons, full of complaints, reprehensions, and exhortations, which letters they shewed to many. On the other side, newes came to *Rome* of what hapned in *Trent* afterwards. The Pope did renew and augment his disdaine against the Cardinall of *Mantua*, for hauing omitted the occasion to declare the *continuation*, being requested to doe it by the Ambassadour and Prelates of *Spaine*. Hee was sory to see that Cardinall ioyned with the Spaniards in the point of residence, and opposite to them in the *Continuation*, which was to crosse him in all things. For no man, though of a dull wit, would haue forborne to haue made that declaration, because if it had succeeded well, it had beene much in the fauour of the Catholike Church, if not, the Councell had beene dissolued; a thing of no lesse benefit. They beganne in *Rome* to consult againe of sending other Legates, and particularly the Cardinall of Saint *Clement*; dessigning to lay the principall charge, and the instruction vpon him: and not to take the first place from *Mantua*, and so to giue him occasion to depart; they thought to ordaine him Bishop, newes beeing come a little before of the death of *Francis Tornon*, Deane, by which one of the sixe Bishopricks was voyde. The Popes indignation against ỹ Cardinal of *Mantua* is renewed

The Emperour, aduertised of the proposition to declare the *Continuation*, was moued, and sent the Pope word, that whensoeuer it was done, hee would recall his Ambassadours from *Trent*, whome hee commanded, that, if the resolution were made, they should presently depart, not expecting the publication. Therefore his Holinesse was in hope that, by this meanes, the Councel might be ended, and was so much the more angry with the Cardinall of *Mantua* for suffering such an occasion to passe, and beganne to thinke how it might bee reuiued. The Court, as well to imitate their Prince, as for their owne interests, continued their complaints, and murmures against the Prelates of the Councell, and most of all against that Cardinall, and against *Seripando* and *Varmiense*; and, on the contrary, the Prelates in *Trent*, and especially the Spaniards, complained of the Pope and the Court. Of him, for holding the Councell in seruitude, to which he ought to leaue free power, to handle and determine all things, and not to meddle himselfe; and yet, besides that nothing is proposed but what pleaseth the Legates, who doe nothing but that which is commanded from *Rome*, when a proposition is made in which 70. Bishops do vniformly agree, they are hindred, euen to speake therof, that the Councel ought to be free, and The Prelats of the Councell complain of the Pope,

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.

exempt from all preuention, concurrence, and interceſſion of any other power; and yet lawes are giuen them what to handle, and limitations, and corrections made of the things handled and decreed; which continuing, they cannot truely bee called a Councell. That there were amongſt them more then fourtie ſtipendaries of the Pope, ſome receiuing thirtie, ſome ſixtie crownes a moneth; and that others were terrified by the letters of Cardinals, and other Courtiers. They complained of the Court, that, not induring a reformation, they held it lawfull to calumniate, reprehend, and cenſure that which was done for the ſeruice of God. That, hauing ſeene how they proceeded againſt a neceſſarie and ſmall reformation, they muſt needes expect a great commotion, and contradiction, when they ſhall bee more touched at the quicke; that the Pope ought to bridle the tongues of the paſſionate, and make ſhew at the leaſt, ſeeing that hee would not bee tied really, that the Councell may proceed with ſinceritie and libertie.

A paſſage concerning the equalitie of Biſhops.

Paulus Emilius Verallus, Biſhop of *Capoccio*, came to bad termes with the Biſhop of *Paris*, in a meeting of many Biſhops. For *Paris* hauing diſliked the courſe of determining by pluralitie of voice, and the other anſwearing that all Biſhops were equall, *Paris* asked him how many ſoules were vnder his charge; who anſwered that he had fiue hundred: then *Paris* replied, that, in regard of his perſon, hee yeelded vnto him, but in reſpect of thoſe who were repreſented by the one and the other, hee that ſpake of fiue hundred, ought not to bee made equall to him that ſpake of fiue hundred thouſand.

The French Ambaſſadors are receiued in congregation, and one of them maketh an Oration.

Things ſtanding in theſe termes, there was no Congregation made vntill the 20. day: in which the French Ambaſſadours (who had imparted their inſtructions to the Imperialiſts, and held correſpondence, according to the command of their Maſter) preſented themſelues. The *Mandat* of their Ambaſſage beeing exhibited and read, *Guido Faber* made a long Oration, in which, hauing expounded the continuall deſire of the King, that the Councel ſhould be aſſembled in a fit place, not ſuſpected, and the requeſt hee had made to the Pope and all Chriſtian Princes for it, hee told them what fruite might bee expected from the opening of it. Hee added, that as thoſe doe much erre who would innouate all the rites of the Church, ſo to maintaine all of them obſtinately, not conſidering the ſtate of the preſent times, and the publike good, deſerueth no leſſe reprehenſion. Hee declared very particularly the temptations which the Deuill would vſe, to diuert the Fathers from the right way, ſaying, that if they gaue eare to him, they would make Councels loſe all authority; adding, that many Councels haue beene held in *Germany* and *Italy*, with no fruit, or very little, of which it was ſaid that they were neither free nor lawfull, becauſe they were gouerned by the will of another; that they ought to be carefull to vſe well the power and liberty giuen them by God. For if, in priuate cauſes, they deſerue ſeuere puniſhment, who doe gratifie any man againſt iuſtice, they deſerue it much more, who, being iudges in cauſes diuine, doe follow a popular applauſe, or ſuffer themſelues to be made gowned ſlaues to the Princes, to who they are obliged; & ſaid that euery one ſhould examine himſelfe what paſſion doth poſſeſſe him. And becauſe the defects of ſome former Synods haue made a preiudice to

this

this, it is fit to ſhew that thoſe things are paſt, that euery one may diſpute without being burned, that publike faith is not broken, that the holy Ghoſt is to be called for from heauen onely, and that this is not that Councel which was begunne by *Paul* 3. and proſecuted by *Iulius* 3. in turbulent times, and in the midſt of armes, which was diſſolued without doing any thing that was good, but a new, free, peaceable, and lawfull Councel, called according to the ancient cuſtome, to which all Kings, Princes, and Republiques, doe giue conſent, to which *Germany* will runne and bring with it the authors of the new diſputes, the moſt graue and eloquent men which it hath. He concluded, that they the Ambaſſadours did promiſe, to this end, the aſſiſtance of the King. It ſeemed that ſome of the Fathers, and of the Legates themſelues, did not take thoſe words well, to which the *Speaker* not knowing what to anſwere, nor what complement to make, the Congregation ended with the Oration. 1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. To which the *Speaker* knoweth not what anſwere to make.

The next day, the ſame Ambaſſadours went to the Legats, aſſembled for that purpoſe, where they excuſed the French Prelates for not comming, in regard of the tumults, promiſing that when they were ended, as they hoped they would be ſhortly, they ſhould come with ſpeed. Afterwards they declared that the *Hugonots* doe ſuſpect the *continuation* of the Councel, and doe require a new; that the King had treated hereof with the Emperour, who deſired the ſame, at the inſtance of the *Confeſſioniſts*; that hee had demanded the ſame alſo of the Pope: who anſwered that the difference was onely betweene them and the King of *Spaine*, and that it concerned not him, but referred it to the Councel. Therefore they demanded a declaration, in plaine termes, that the *Indiction* is new, and not in theſe words, *Indicendo continuamus, & continuando indicimus*, which is an ambiguity not befitting Chriſtians, and implieth a contradiction; and ſaid, that the Decrees already made by the Councel, are not receiued by the French Church, nor by the Pope himſelfe, and that *Henry* 2. did proteſt againſt it: that concerning this point, they were addreſſed to them the Legates, becauſe the Pope hath often ſaid that the queſtion of *Indiction* or *continuation* was not his, and that hee referred it to the Councel. And hauing deliuered this petition by word, they left it alſo in writing. The Legats, after they had conſulted together, anſwered in writing alſo; that they admitted the excuſe of the Biſhops abſent, but that they could not deferre the diſcuſſion of that which was to bee handled in the Councel vntill their comming, becauſe the Fathers who were preſent, would bee incommodated too much; that they haue not power to declare that the *Indiction* of the Councel is new, but to preſide onely, according to the tenour of the Popes Bul, and the will of the Synode. The French-men were contented with the anſwere for the preſent, hauing determined, together with the Imperialiſts, not to proceed further, ſo long as in the acts mention was not made of *continuation*, conſidering that the Spaniards hauing made requeſts in the firſt Seſſion, that the *continuation* ſhould be declared, and receiued much contradiction, there was danger that the Councel would haue beene diſſolued. But the anſwere of the Legats publiſhed by the French-men, that their authority was to preſide according to the will of the Synode, made the Spaniards ſay, that thoſe words did ſubiect the Legates to the Councel, whereas The French Ambaſſadors demand of the Legates a declaration that the Councel is new. To whom the Legats anſwere.

1562
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.

in deed they made themselues Lords ouer it. And *Granata* said, that it was an absolute dominion to make vse of the quality of a seruant, and of a Lord also.

The Spaniards require a determination in the point of Residence.

The Legats proposing nothing for the next Session, the Prelats, who fauoured residencie, beganne to discourse againe of it, and perswaded the Ambassadours of the Emperour, Kings of *France*, *Portugal*, and all the others, to moone the Legats, that it might be decided in the next Session; alleadging, that it hauing beene proposed and disputed, it would bee a great scandall to leaue it vndecided, and would shew that it was for some particular interest, seeing that the principall Prelats of the Councel, and the greater number did desire the determination of it.

The Ministers of the French King and Emperor demand of the Legates that the points of doctrine may be deferred vntill the comming of ỹ Protestants.

The French-men, together with the Imperialists, made instance that the points of doctrine might not bee handled in absence of the Protestants who doe impugne them, vntill their contumacie be manifest, in regard the disputation is superfluous, where there is none to contradict, especially there being matter enough besides, in which the world doth agree, that is, a good reformation of manners; that the *English* Ambassadour in *France* had declared, that his Queene would send to the Councell; whence it would follow that the other Protestants would do the like; so that a generall reunion of the Church would succeed: and that one might assure himselfe to see this effected, if a good reformation were made. Cardinall *Simoneta* answered this second proposition, that the businesse seemed easie, but was not so, because all consisted in the disposition of Benefices, in which the abuses proceed from Kings and Princes. This troubled all the Ambassadours, because of the nominations, and dispositions which Princes do exercise, and especially the French King. But the proposition of the Residence did molest the Legats more; nor were the Fathers pacified with the excuses formerly vsed, that the matter was not sufficiently digested, that there was not time enough before the Session to make it cleere, and for other considerations. And the heate grew so great, that some of the *Vltramontans* were agreed to protest, and depart. And this was the cause of stopping the motion. For the Ambassadors, fearing that the Councell would be interrupted, and knowing that the Pope would cherish euery occasion, ceased to make any further instance, and perswaded the Bishops to be contented to expect; and, for the same cause, they labboured with the Ministers of *Spaine*, that they should not insist any more to haue the *continuation* declared: who not onely were pacified, but protested also to the Legats, that they did not then demaund it; saying, that, if others seeke to put the Councell into the stocke, there is no reason their purpose should be couered with the cloake of the King of *Spaine*. The *protestation* pleased the Legats, who were ingaged by their word to the *Marquis*, and knew not how to acquite themselues. Neither was it lesse gratefull to them to deferre the point of Residence; and, that none might change opinion, they drew a writing, which they read in Congregation, that it might there be approued, that in the next Session they should doe nothing but deferre these matters vntill another, and that for good respects: and they thought they were disburthened of two great weights. The Session approching, many who thought themselues much pricked with the oration of the French Ambas-

But they doe all surcease, because the Pope would take occasion hereby to dissolue the Councel.

sador-

ſadour, deſired the Legats to make a ſound anſwere, when the *Mandate* was read in the Seſſion; and Cardinall *Altemps* did perſwade, that by all meanes it ſhould be ſo, ſaying that the inſolencie of that Pallace-man was to bee repreſſed, who was accuſtomed to ſpeake to meane people. The charge hereof was giuen to *Io. Baptiſta Caſtello*, the *Speaker*, with order only to defend the dignitie of the Synod, without touching any mans perſon. 1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

The Pope, after long conſultation, reſolued that the *continuation* ſhould be declared, let the Emperour doe what hee could; thinking that it muſt needs ſucceede well: and diſpatched a Currier to *Trent* with this Commiſſion. This, being arriued the ſecond of Iune, troubled the Legats very much, in regard of the confuſions which they ſaw would ariſe, and of the diſorder in which the Councell was; and all reſoluing vniformely to informe the Pope better, ſignifying vnto him the things that haue been handled, and the Decree already publiſhed, and ſhewing him the impoſſibilitie to performe his order, the Cardinall *Altemps*, who before had leaue to goe to *Rome*, for other cauſes, went away by poſt the next day, to deliuer the meſſage in perſon. But at night another Currier came with letters, that his Holineſſe did refer all to the wiſedome and iudgement of the Legats. The Pope reſoluеth that the *Continuation* ſhall be declared; but ſoone after waueth his opinion.

The fourth of Iune being come, the Seſſion was celebrated, with the vſuall ceremonies, and the *Mandates* of the Arch-biſhop of *Salzburg*, and of *France* were read. Which beeing done, the *Speaker* made an anſwere; and ſaid, that there was hope prouiſion would be made againſt all the diſorders of Chriſtendome, by the remedie, which the Pope thought neceſſary, that is, this Councell, begun by the aſſiſtance of the holy Ghoſt, and conſent of Princes; amongſt whom the French King hath ſent men of conſcience and religion, to offer not onely aſſiſtance, but obedience alſo to this Synod, which doth not leſſe deſerue it then other Councels, againſt which ill affected perſons haue falſely oppoſed, that they haue not beene lawful, nor true, though men of pietie haue euer held them to be Councels, hauing beene called by him that hath authoritie, howſoeuer calumnies haue beene ſpread by others, that they were not free; againſt which, as alſo againſt the preſent Synod, the treacheries of Sathan copiouſly and acutely repeated by them, the Ambaſſadours, did not preuaile; that the Councell will not make a bad interpretation of their diligent and free admonition not to regard popular applauſe, or follow the will of Princes, but as it doth eſteeme it not to bee neceſſary, or rather to be ſuperfluous, ſo it is willing to beleeue that it doth proceed from a good mind, that it may not be forced to ſay any thing againſt its mild and pious purpoſe, and vſuall cuſtome. But to free them the Ambaſſadours from that vaine feare, which they would ſeeme to haue, and aſſure them of their true purpoſe, he doth foretell them, that the effects will ſhew that the Councell will poſtpoſe the deſires, will, and power of whoſoeuer to her owne dignitie and authoritie; and promiſeth to King *Charles* what it is able to doe, ſauing faith and religion, for preſeruation of his dignitie, kingdome, and ſtate. The French-men were ill ſatisfied with this anſwere, but knew they had deſerued it. Afterwards the Decree was read by the *Maſſe-Biſhop*. That the Synod, in regard of diuers difficulties riſen, and to define the points of doctrine and reformation both together, doth appoint The Seſſion is celebrated; in which the *Speaker* maketh an anſwere to the oration of *Pibrac*. Which doth not pleaſe the Frenchmen. The Decree.

1562
PIVS 4.
FERDINAND.
ELIZABETH
CHARLES 9.

point the next Session to be held the tenth of Iuly, to handle what shall bee thought fit both of the one and the other matter: reseruing power to abridge or prolong the time in a general Congregation. And there were 35. Prelats who desired that the point of Residence should thē be handled. Some proposed also that the *continuation* should be declared, which was thought to be done, to raise some tumults, to make the Councell dissolue. For they were of those who were most obliged to *Rome*, and therefore did repent that they had spoken their opinion so freely in the point of Residence, so much abhorred by the Court. But all the rest beeing silent, the Session ended.

Order is giuen for the matter of the next Session.

The sixt day a generall Congregation was held, to giue order for that which should be handled in the next Session; and the Articles concerning the Communion were proposed. Whether all the faithfull are necessarily, and by Gods Commaundement, bound to receiue both kinds in that Sacrament? Whether the Church doth vpon good ground communicate the *Laiques* with the bread onely, or hath erred heerein? Whether all CHRIST and all his graces are receiued as well vnder one kind as vnder both? Whether the reasons which haue mooued the Church to giue to the Laitie the Communion of the bread onely, ought to induce it also, not to graunt the Cup to any? If it shall appeare that it may bee graunted to some for honest causes, vpon what conditions it may bee done? Whether the Communion be necessary for infants, before the vse of reason? The Fathers were demanded if they were pleased that that matter should be handled, and whether they would adde any thing vnto it. And although the French Ambassadors, and many of the Prelates did thinke fit that the points of doctrine should not be handled, vntill it did appeare whether the Protestants would come or not, it being euident, that, in case they should be contumacious, the discussion would be in vaine, as not necessary for the Catholiques, and not accepted by the others, yet none opposed, at the earnest perswasions of the Imperialists, who hoped to obtaine the Communion of the Cup; which would be a beginning to giue *Germanie* satisfaction. It being resolued that the sixe Articles should be handled, and the Diuines speake first, and then the Prelats, it did appeare that all the time vntill the Session would be spent in this onely, eighty eight Diuines being to speake, and many Prelats to giue their voyces. Therefore some said, that there was no need of any great consideration to be had of these points, because they were fully discussed in the former assembly vnder *Iulius*, but that a briefe and sound examination might serue; so that they may be determined in a few daies, and all the other time may be spent in the reformation. They said that Article of residencie had beene already proposed, and examined in part, and that it was meete that it should once be ended. This opinion was openly followed by thirtie Fathers, and it appeared that it was secretly approoued by many more, who would haue shewed themselues in the conclusion. But Cardinall *Simoneta*, desiring to interpole a delay, by saying that it was not meete to handle that matter vntill mens mindes were pacified, which had beene mooued by the former difference, which will not suffer them to discerne the trueth, opened a gate to *Iohn Baptista Castagna*, Archbishop of *Rosano*, and to *Pompeius Zambecca-*

rus

1562

Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.

tus Bishop of *Salmona*; both which speaking hotly and sharpely, raised such a tumult that they feared some inconuenience. For remedie whereof the Cardinall of *Mantua* prayed those of the residence to be quiet, promising, that in another Session, or when they handled the Sacrament of order, this should be discussed. The tumult being thus appeased, and it appearing, that the resuming of the points handled vnder *Iulius*, would spend more time, and be more difficult then to examine them againe, as hapneth to a Iudge who is to frame his sentence vpon a proceesse made before another, a resolution was taken, that the Diuines should speake of them, and a congregation be holde twice a day, in which two of the Legats should assist (so diuiding their charges, that they might make an end the sooner) and of the Prelats as many as would; and that they should haue two dayes to studie, and begin the third. With this conclusion the Congregation ended. But *Simoneta* was offended with the promise which *Mantua* made, without consent or participation of his colleagues, and made an open quarrell. *Mantua* was blamed by the Prelates who fauoured the Court, and calumniated to be ill affected; but, by the sincere, was commended for his wisedome, who, in a dangerous necessitie, tooke a course to withstand the diuisions and protestations which were prepared, and blamed *Simoneta* for being offended, because *Mantua*, much more eminent then hee, trusting vpon the consent of *Seripando* and *Varmiense*, whose opinion he knew, might thinke that a resolution taken by necessitie, ought to haue beene ratified by him also.

The Card. of *Mantua* promiseth that the point of Residence shall be discussed.

Wherewith Card. *Simoneta* is much offended.

The next day the Emp. Ambassadors hauing obtained, as they desired, the propositiō of the Chalice, for which vntill then they had proceeded with respect, came to the Legats, and presented to them, according to the instruction of their Prince, twenty points of reformation. 1. That the Pope would be content to make a iust reformation of himselfe and the Court of *Rome*. 2. That if the number of Cardinals cannot be reduced to twelue, yet that it be brought at the least to the double of it, with two supernumerary, so that they may not exceede sixe and twentie. 3. That no scandalous dispensations may be granted hereafter. 4. That the executions against the common Lawes may be reuoked, and all the monasteries subiected to the Bishops. 5. That *pluralitie* of Benefices be taken away, and Schooles erected in Cathedrall and Collegiate Churches, and that Ecclesiasticall offices may not be bought and solde. 6. That Bishops may be compelled to reside, and not exercise their office by *Vicars*, and if they be not sufficient, that the charge may not be committed to one *Vicar*, but to many persons, and that the Visitations, and Diœcesan Synods, may be made euery yeere. 7. That euery Ecclesiasticall Ministerie be exercised freely, and that rich Benefices, without cure, may be incorporated to those that haue cure, and small reuenues. 8. That the Canons against Simonie may be reuiued. 9. That the Ecclesiasticall constitutions be abridged, the superfluitie cut off, and not made equall to the obligations of the Law of God. 10. That excommunication be not vsed but for mortall sinne, or notorious irregularitie. 11. That Diuine Seruice be so said, as that it may be vnderstood by him that sayth it, and by him that heareth. 12. That the *Breuiaries* and *Missals* be corrected, and those things taken away which be not found in the Scripture, as also

The Emperors Ambassadours propose to the Legats twentie points of Reformation.

1562 Pius 4. Ferd inand. Elizabeth. Charles 9.

also the prolixitie. 13. That in celebrating the diuine offices in Latine, prayers be intermingled in the vulgar. 14. That the Clergie and Monasticall order be reformed, according to the ancient institution, and that so great riches may not be administred so ill. 15. That it bee considered whether it be expedient to remit so great obligations of the positiue Law, abating some of the rigour, in the difference of meats and fasts, and granting marriage of Priests to some nations. 16. That, to take away the diuersitie of opinions, the diuers *Postils* be forbidden to be read, and one made by publique authoritie, and likewise a new *Ritual*, which may be followed by all. 17. That a way be found, not to chase away bad Parish Priests, because that is easie, but to substitute better. 18. That in great prouinces many Bishoprickes bee erected, conuerting rich Monasteries to this vse. 19. That, for Ecclesiasticall goods vsurped, perhaps it was better at that time to passe them ouer with dissimulation. In the end to say something to please the Pope, and to pacifie him if he were angry for these propositions, he added: 20. That the Legats should endeauour, that no vnprofitable questions which breed scandall, as whether Residence be *de iure diuino*, and the like, should be proposed; and that the Fathers should speake without choler, and not make themselues a fable to the aduersaries. Concerning the 17. they gaue some particular notes, to reduce those who were least obstinate amongst the Sectaries, by sending them to some Vniuersitie where they may be instructed, in a short time, and giuing order to the Bishops, who haue no Vniuersitie, to make a Colledge in the next, for the youth of their Dioceses, to make a Catalogue of the Doctours which are to be read in the Schooles, prohibiting that any others be read.

Who answere that they cannot be proposed in the next Session.

The propositions being vnderstood, the Legats, retiring first, and consulting together, returned and made answere; that it was not possible to propose them the next Session, hauing, at their instance, that matter of the Chalice vpon their hands, of great importance and difficultie; that the things proposed are diuers, and concerne diuers subiects, which cannot be all digested together; that therefore they would communicate to the Prelats, as occasions were offered, those which had affinitie with the other reformations. The Ambassadours knew that they spake this that they might not publish their writing in congregation, that, by gaining time, they might delude the Emperours expectation. But yet, at that time, they said no more. Afterwards, consulting together, they held it expedient to informe the Emperour well, as well of this particular, as generally of the maner how they proceeded in the Councell. And to doe this, the Bishop of *Prague* rode post, that he might returne before the Session. The Legats, perceiuing that the Councell stood vpon bad termes, in many respects, but especially for the distaste and suspicion of the Pope, thought it necessary to informe him fully of all that was past, and imminent. For this, Friar *Leonardus Marinus*, Archbishop of *Lanciano*, was chosen, because hee was a man of spirit and acceptable to the Pope, promoted and much fauoured by him, and a friend also to *Seripando*; whose instruction was to enforme the Pope fully, to excuse the Legats, and to pacifie his Holinesse. Hee caried the common Letters of the Legats for his credence, to which *Simoneta* made much and long difficultie to subscribe,

The Bishop of *Prague* goeth by post to informe the Emperor of the state of the Councel.

And the Archbishop of *Lanciano* to informe the Pope.

1562
Pius 4.
Ferdinandi
Elizabethi
Charles 9

scribe, nor would haue done it, but that they agreed that euery one should write particular letters of his owne. *Simoneta* wrote, that hee did thinke to send the Archbishop of *Rosano*, for his particular, to giue a more exact information, but that, being better aduised, hee afterwards resolued to expect the euent of *Lanciano* his iourney.

The mutuall distasts, and detractions of the *Romans* against the *Trentins*, and of these against those, did encrease at the arriuall of euery Currier. In *Trent*, the fauoures of residence did bewaile the miseries of the Church, the seruitude of the Councel, and the manifest desperation to see the Church reformed in *Rome*. The opposites lamented, that a schisme was plotted in the Councel, yea an apostacie from the Apostolique Sea. They said that the *Vltramontans*, for malice and enuie against the Italians, did aime not so much at the depression, as at the abolition of the Papacie; which beeing the foundation of the Church, because CHRIST hath made it so, the totall destruction of the whole building must needes ensue. The Pope, receiuing new aduises dailie, and alwaies worse, as euery day some nouity did happen in *Trent*, besides the accidents occurring in *Germany* and *Flanders*, contrary to his affaires, was still more displeased. The opinion of the maior part for residencie, did not so much trouble him, as the practises which were made, especially by the Ambassadors, perceiuing that the Princes were interested in it against his authority. He saw the Emperour was wholly bent to make his sonne King of the *Romans*, and ready to giue all satisfaction to *Germany*; and therefore had caused these Articles of reformation to be presented to the Legats, and called to him the Amb. *Prague*, to find a way how to propose thē in Councel, & establish them. He knew the French King was exhausted, compassed with infinite difficulties, and in danger to be forced to compound with the *Hugonots*, which if it happen, the French Prelats may runne to the Councell, ioyne with the Spaniards, and make themselues authors of other propositions against the Papall authoritie. Hee thought to calme the tempest, which he saw prepared against him, both with deeds and words, by leuying foure thousand *Swisses*, and three thousand Dutch horse-men; hee sent to *Auignion Nicolas Gambara* with fiue hundred foote, and an hundred light horse-men; gaue money to the Duke of *Sauoy*, to put himselfe in armes, and oppose, if the *Hugonots* would descend into *Italie*. And to engage al Princes, hee resolued to treat a leagtie defensiue of all Catholiques, against the plots of the Protestants in euery place, holding it to be an eatie thing to make them condescend, if for no other cause, yet for this at the least, to free themselues from suspicion. In *Italie* he thought it not hard to induce all. For the Duke of *Florence* was wholy his; in *Sauoy* he had interest, for the succours he sent him, and for the danger he was in; the *Venetians* desired to keepe the *Vltramontans* out of *Italie*; the King of *Spaine* had need of him, for *Naples* and *Milan*; and *France* for the actuall necessitie in which it was. Therefore he made the proposition in *Rome* to the Emperours Ambassador, and the *Venetians*, and sent the Abbat of Saint *Saluto* for this end into *France*, and the Lord *Odescalco* into *Spaine*; to whom also hee gaue instruction, to complaine to the King that the Spanish Bishops were whited against his authoritie, and to shew him that the propositions of the Emperour were fit to

The Pope treateth a common league of all Catholike Princes against the Protestants.

make

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.

make a schisme. It was easie to foresee the issue of that project, to any that did know, though but superficially, the ends of the Princes. The Emperor would by no meanes condescend to any thing that might giue suspition to the Protestants; the French King was so farre from hindering the passage of the *Hugonots* into *Italy*, that he would haue beene content to haue seene his whole kingdome rid of them; *Spaine*, hauing great possessions in those parts, did more feare and abhorre an vnion of Italian Princes, then desire the ruine of the heretiques; the *Venetians* and Duke of *Florence* could not consent to any thing, which might trouble the peace of *Italy*. And so it hapned that the proposition of the league was not embraced by any of the Princes, euery one alleadging a particular cause, and all one common, that it would hinder the progresse of the Councell; which many beleeued would not haue displeased his Holinesse: and the rather because he againe proposed in Consistorie the declaration of the *continuation*, and that himselfe would make a declaration concerning Residencie. Which things he did not performe, in regard of the opinion of Cardinall *Carpi*, followed by the greater part of the other Cardinals, that it would not be good seruice for his Holinesse, nor the Apostolike *Sea* to make himselfe authour of odious things, which might aliene the minds of one partie, and that it was better to leaue them in the liberty of the Councell for that time.

But cannot effect it.

Notwithstanding he did not forbeare to complaine in Consistory of all the Ambassadours. Of the French hee saide, that *Lansac* seemed to bee an Ambassadour of the *Hugonots*, by his propositions, desiring that the Queene of *England*, the Protestants of *Switzerland*, *Saxony*, and *Wittemberg*, should bee expected at the Councel, who are declared enemies and rebels, and haue no other end, then to corrupt the Councel, and make it *Hugonot*; which he said himselfe would preserue, and haue forces to doe it. That hee also and his Colleagues defended some, who disputed the authority of the Councel to be aboue the Pope, which opinion is hereticall, and the fauourers of it are heretikes, threatning to persecute and chastise them. Hee saide they liued like *Hugonots*; that they did no reuerence to the Sacrament; that *Lansac*, at his table, in the presence of many Prelates inuited, had saide, that there would come so many Bishops out of *France* and *Germanie*, that they would chase the *Idol* out of *Rome*. He complained of one of the Venetian Ambassadors, and sent his Masters word of him. He saide of the Cardinals, *Mantua*, *Serepando*, and *Varmiense*, that they were vnworthie of the *Cap*. Of the Prelates he spake as occasion was offered, and perswaded the friends of each of them to write vnto them. All this was done and saide by him, not because he beleeued it, or for intemperance of his tongue, but by Arte, to force euery one, some for feare, some for shame, some for ciuilitie, to make his Apologie to him, which hee did most easily receiue, and readily beleeue. And it is incredible how his affaires were aduanced by this meanes. For hee gained some, and caused the others to proceede more warily, and remisly. Whereupon his naturall courage reuiuing in him, which still was full of hope, hee saide that all were vnited against him, but that, in the end, he would make them all bee reunited in his fauour, because they haue all needs of him, some demanding assistance, and some graces.

The Pope complaineth of the Ambassadors.

And of three of the Legats.

That he might force them to make their Apologies.

Amongst

Amongst the Prelats which the Pope sent last to the Councell from *Rome*, as hath beene saide, there was one *Charles Viscente*, Bishop of *Vintimiglia*, who had beene Senator of *Milan*, and imployed in many Ambassages; a man fit for negotiation, and of an exact iudgement. Hauing loaded this man with promises (which hee performed also, creating him Cardinall in the first promotion after the Councell) hee desired to haue him in *Trent* besides the Legates, as a secret Minister. Hee gaue him commission to speake that to diuers which was not fit to bee committed to writing, to marke well the differences betweene the Legats, and the particular causes thereof, to obserue exactly the humors, opinions, and practises of the Bishops, and to write to him particularly all matters of substance. Hee charged him to obserue the Cardinall of *Mantua* aboue all the Legates, but to hold correspondence with *Simoneta*, who knew his minde, and to labour that there should bee no more any demand made for the declaration concerning residence; or, if it could not be hindered, that it should be deferred vntill the end of the Councell; and that, if that also could not bee obtained, hee should delay it as long as it was possible, vsing all meanes which hee thought expedient for this ende. Hee gaue him also a list of the names of those who fauoured the Roman part in that matter, with commission to thanke them, and incourage them to continue, and to promise them recompense: referring to his discretion, in treating with the opposites, to vse some kind of threats, without sharpenesse of words, but strong in substance, and to promise, to those that would relent, obliuion of all that is past, and to giue particular aduice to Cardinall *Boromeo* of whatsoeuer did happen: which he did. And the register of the letters written by him, with much acuteneſſe, and iudgement, hath been shewed me, out of which a great part of those things which follow hath beene drawen.

1562

PIVS. 4. FERDINAND. ELIZABETH. CHARLES 9.

The Bishop of *Vintimiglia* is the Popes secret minister in the Councell.

But hauing receiued aduise of the promise made by *Mantua*, hee saw it was hard to diuert the handling of that Article, and thought that the dissention betweene the Legats would produce greater euils, and esteemed this to be the most principall point, as well in deede, as for reputation. For how could he hope to represse the attempts of the ministers of other Princes, when hee could not gouerne his owne? Therefore hee thought it necessarie to vse the strongest medicines, for a disease that had seased on the vital parts; & resolued to shew openly how ill hee was satisfied with *Mantua*; which he thought would either make him alter his course, or aske leaue to depart, or, by some meanes, to retire from *Trent*: and if the dissolution of the Councell did insue, it was so much the better. Hee gaue order that the dispatches to *Trent*, formerly addressed to him, as prime Legate, should hereafter bee directed to *Simoneta*; he remooued, from the congregation of Cardinals, who were to consult of the affaires of *Trent*, the Cardinall *Gonzaga*, and caused *Frederico Boromeo* to tell him, that the Cardinall, his Vncle, did thinke to ruine the Apostolike Sea, but should effect nothing but the ruine of himselfe, and of his house. He related to the Cardinall S. *Angelo*, who was a great friend to *Mantua*, whatsoeuer had happened, and shewed himselfe most cholerique against him; and as much against *Camillus Olivus*, the Cardinals secretarie, as not hauing performed the promise hee made vnto him, when hee was sent to

The dispatches from *Rome* are no more addressed to the Cardinall of *Mantua*.

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.

Rome. Which cost the poore man very deare. For howsoeuer the Pope and the Cardinall were reconciled, yet, after his death, returning to *Mantua*, with the corps of his Master, was imprisoned by the *Inquisition*, vpon diuers pretences, and troubled a long time; whom, after his persecutions were ended, I knew my selfe to be a person very vertuous, and that he had not deserued such misfortunes.

Whose Secretarie also, *Camillus Olivus*, is in disgrace with the Pope.

When the Pope was thus affected *Lanciano* came to *Rome*; and, amongst other things, presented to his Holinesse a letter subscribed by more then thirtie Bishops, in fauour of residencie. In which they complained of his distast against them, protesting they did not thinke their opinion was contrarie to his authoritie, which they would defend against all, and maintaine it inuiolable in all partes. This made a miraculous disposition in the Popes minde to receiue kindely the letters of the Legates, *Mantua*, *Seripando*, and *Warmiense*, and to giue care to the relation of the Archbishop, who gaue him a particular account of all occurrences, and made him a great deale lesse suspitious. Then hee beganne to excuse the Cardinals, that, in the beginning, not beeing able to foresee that any inconuenience could happen, they did discouer the opinion which in their conscience they did holde, and after that contentions did arise, without their fault or defect, their adherence to that part was honourable for his Holinesse and the Court. For now it could not bee saide, that the Pope and all the Court were opposite to an opinion, which the world held to be pious and necessarie. And this hath succeeded well. For heereby they haue gained credit and authoritie with the Prelates, and haue beene able to moderate the rashnesse of some, who, otherwise, would haue made a great diuision, to the great dammage of the Church. Hee related the frequent and effectuall perswasions, which they made to quiet the Prelats, and the affronts also which they receiued from some, who told them they could not bee silent against their conscience. Hee shewed the dangers and necessitie which forced *Mantua* to make the promise. Hee added, that the greater part of the Prelates, to take all suspition out of the minde of his Holinesse, did offer to declare in the next Session, that he was Head of the Church, and had giuen him commission to deliuer the Ambassage to him, which, for many respects, they thought not fit to commit to writing; and named so many of them, that hee made the Pope marueile, and say, that bad tongues, and worse pens had painted those Fathers in other colours. Then hee shewed him the vnion, and resolution of the ministers of Princes to maintaine the Councell, and the disposition of the Prelates to support any thing, that it might continue, and no occasion arise to dissolue it; that the point of residence was so aduanced, and the Fathers so interested, in regard of their conscience and honour, and the Ambassadors for their reputation, that it was impossible to denie the handling and defining of it. He gaue him an account, and a copie of the propositions of the Emperours Ambassadors, shewing they did all aime to subiect the Pope to the Councell, and that the Cardinall of *Mantua* did dexterously decline the proposing of them in congregation. Hee concluded, that, it being impossible to recall that which was past, his Holinesse might attribute much vnto chance, pardoning, according to his vsuall benignitie, that which formerly

The negotiation of the Archbishop of *Lanciano* with the Pope.

merly had happened, not by malice, but by negligence of some, and might make better prouision for hereafter, because all were resolued not to propose or handle any thing; before it was consulted and determined by his Holinesse. 1562. Pius 4. Ferdinand. Elizabeth. Charles 9.

The Pope, weighing the remonstrance well, sent presently backe the Archbishop, with letters to the Legats, and to some of those who had subscribed the letters to him, in answere of the letters which he brought, and gaue him commission to tell them all in his name, that his will was the Councell should bee free; that euery one should speake, according to his conscience; that they should make Decrees according to trueth; that hee was not displeased because the voices were giuen more after one manner then another, but in regard of the attempts and practises to perswade and violence others, and of the contentions and bitternesse betweene them, which things doe not become a generall Councell. Therefore that hee doth not oppose the determination of residence, but aduiseth them to lay aside their heat, & that when their minds are quieted, and do aime only at the seruice of God, and benefit of the Church, they may handle it with profit. He was content it should bee told *Mantua* that hee was glad to vnderstand of his innocencie, and affection, and that hee will giue a demonstration thereof; praying him to labour that the Councell may bee quickly ended, because, by the discourse hee hath had with *Lanciano*, hee hath vnderstood that it may bee concluded in September. And, in conformitie hereof, hee wrote a letter to the Legates, that, following the steps of the Councell vnder *Iulius*, and taking the points already digested by it, they should immediatly determine them, and make an end. The Archbishop is sent backe to Trent with letters, and instructions.

At that time they were busied in *Trent*, in hearing the Diuines speake in the Congregations, concerning the sixteene Articles, who began the ninth, and ended the three and twentieth of the moneth; and howsoeuer they were in number 60. yet nothing worthy obseruation was deliuered by any, in regard the matter beeing new, neuer handled by the Schoolemen, defined in the Councell of *Constance* at the first onset, and maintained by the Bohemians by force of armes, rather then by reason and disputation, they had nothing to studie but what was written in the last fourtie yeeres, by some few, excited by the disputations of *Luther*. Therefore they all agreed, that there was no necessitie or precept of the Cup; and, for proofe, they alleadged places of the new Testament, where bread onely is named; as in Saint *Iohn*, *Hee that eateth this bread shall liue for euer*. They said that, vntill the time of the Apostles, bread onely was in vse; as it is read in Saint *Luke*, that the disciples in *Emmaus* knew Christ in breaking of bread, where there is no mention of wine. And Saint *Paul*, ready to suffer shipwracke at the Sea, doth blesse the bread, and speaketh not of wine. In many of the olde Canons mention is made of the communion of the Laitie, as differing from that of the Clergie, which difference could not consist in any thing but in the Cup. To these were added the figures of the old Testament. Manna, which signifieth the *Eucharist*, hath no drinke in it. *Ionathan*, who tasted the honie, did not drinke; and such other congruities. And it was a matter of great patience to heare them all repeate the same things. I ought not to omit one: The communion of the Cup is discussed.

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.

particular, seriously deliuered by *Iames Payua*, a Portugall, that Christ, both by precept and example, hath declared that the bread is due to all, and the Cup to the Priests onely. For hauing consecrated the bread, he gaue it to his disciples, who then were Laiques, & represented the whole people, commanding they should all eate of it; afterwards hee ordained the Priests, in these words, *Doe this in remembrance of mee*; and, in the end, hee consecrated the Cup, and gaue it to them now consecrated Priests. But the wiser sort did lightly passe ouer this kinde of arguments, and confined themselues to two.

The opinion of *Iames Payua*, a *Portugal*.

Two principal arguments against ỹ communion of the Cup.

One, that the Church hath power from Christ to change the things that are accidentall in the Sacraments, and that to the *Eucharist* both kindes are necessary, as it is a sacrifice, but as it is a Sacrament, one onely, so that the Church hath power to ordaine the vse of one alone. Which they confirmed, because it did once, in the beginning, change in Baptisme the inuocation of the Trinitie into the inuocation of Christ onely, and returned afterwards to the diuine institution. The other reason was, that the Church cannot erre; but shee hath suffered the vse of bread onely to bee brought in, and finally hath approued it, in the Councell of *Constance*, and therefore it must bee sayd that there is no diuine precept or necessitie to the contrary. But Friar *Antonius Mandolphus*, a Diuine, belonging to the Bishop of *Prague*, hauing first affirmed that hee was of the opinion of others in this, that there was no diuine precept, obserued, that it was as contrary to the Catholique doctrine to giue the Cup to the *Laiques* by diuine precept, as it was to denie it to them by diuine precept. Therefore all those reasons, which did so conclude, were to be layd aside, and those of the disciples in *Emaus*, and of Saint *Paul* in the ship, because by them it would bee concluded that it was not sacrilege to consecrate one kinde without the other, which is contrary to all the Doctors, and meaning of the Church, and ouerthroweth the distinction of the *Eucharist* as it is a Sacrifice, and as it is a Sacrament. That it was plaine also, that the distinction of the Laicall and Clericall Communion in the *Romane Ordinary*, was a diuersitie of places in the Church, not of the Sacrament receiued, because otherwise this reason would conclude, that, not onely those who say *Masse*, but all the Clergie should haue the Cup. Of the authority of the Church in changing the accidentall things of the Sacraments, no man can doubt; but hee said it was not a time to dispute whether the Cup were accidentall, or substantiall. Hee concluded that this Article might bee omitted, as already decided in the Councell of *Constance*, and that the fourth and fifth Articles might bee exactly handled, because, granting the Cup to all Nations that desire it, all other disputations are superfluous, yea hurtfull. *Iohn Paul*, a Diuine of the Bishop of Fiue Churches, spake also to the same purpose, and both of them did displease, because it was thought they spake against their conscience, at the instance of their masters.

Concerning the second Article, the Diuines were also vniforme in the affirmatiue, and all their reasons were reduced to three Heads. The congruitys of the old Testament, when the people did participate of the meat offerings in the sacrifices, but neuer of the drinke offerings. To take away from the vulgar, occasion to beleeue that one thing is contained vnder the bread, another vnder the wine. The third the danger of irreuerence. And heere the

reasons

reasons recited by *Gerson* were brought; that the blood might be shed, either in the Church, or in bringing of it, especially ouer the Mountaines in winter; that it would hang in the beards of the Laikes; that it would be sower if it were kept; that there would want vessels to hold enough for ten thousand or twenty thousand persons; that, in some places, it would be too great a charge, in respect of the price of wine; that the vessels would not be kept cleane; that a Laie man would bee of equall dignity with a Priest. Which reasons it was necessary to say that they were iust and good; otherwise the Prelats and Doctours, for so many ages, would haue taught an vntruth, and the Church of *Rome*, and Councel of *Constance* erred. All these reasons (except the last) were thought ridiculous, because those dangers might be more easily withstood in these times, then they could in those 12. first ages, when the Church was in greater pouerty. And the last seemed to bee of no force to shew that the change was reasonably made, but was good to maintaine it after it was made. The two Diuines aforenamed did aduise that this Article also might be omitted. 1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

In the third Article, that all CHRIST is receiued vnder one kinde, the doctrine of *concomitancie*, deliuered by the Diuines, was taken for an argument. For the body of CHRIST beeing vnder the bread, by vertue of the *consecration*, CHRIST hauing said, by words omnipotent and effectiue, *This is my body*, and the body being aliue, it must needes haue blood, soule, and diuinity: so that all CHRIST was vndoubtedly receiued vnder the bread. But some inferred hereby, that therefore all graces are receiued in it, seeing that hee who hath all CHRIST wanteth nothing, because hee is abundantly sufficient. Others said to the contrary, that the illation was neither necessarie, nor probable. For those who are baptized, are filled with CHRIST, as St. *Paul* saith, and yet other Sacraments are giuen vnto them. And because some auoided the force of the reason by saying, that the other Sacraments were necessary in respect of sinnes committed after baptisme, it was replied that the ancient Church did immediately communicate the baptized; so that, as from being filled with all CHRIST in baptisme, it cannot bee inferred that the Eucharist doth not conferre other *graces*, so from hauing receiued all CHRIST vnder the bread, it cannot be inferred that no other grace is to be conferred by the blood; neither can it be said, without great absurdity, that the Priest in the *Masse*, hauing receiued the body of our LORD, and, by consequence, all CHRIST, doth not receiue any *grace* in drinking of the Cup; for otherwise to drinke of it, would be a worke indifferent and vaine. Moreouer it is decided, by the common doctrine of the Schooles, and of the Church, that by euery sacramentall action, by vertue of the worke it selfe, which they call, *Ex opere operato*, a degree of *grace* is conferred. But it cannot be denied that to drinke the blood of CHRIST is a sacramentall action, therefore it can not bee denied, that it hath a speciall *grace* annexed. In this controuersie the greater part of the Diuines held, that, not speaking of the quantity of *grace*, answerable to the disposition of the receiuer, but of that which the Schoolmen call sacramentall, it was equall in him that receiued one kinde onely, and in him that receiued both. The other opinion was defended, though with the smaller number, yet more earnestly. Friar *Amante Seruita*, a *Brescian*, a

1562
Pivs 4. Ferdinand.
Elizabeth Charles 9.

Diuine of the Bishop of *Sebenico*, a fauourer of this second opinion, passed very farre, I know not with what aime or end: who, alledging the doctrine of *Thomas Caietane*, that blood is not part of humane nature, but the first aliment, and adding that it could not be said, that the body doth necessarily draw in *concomitance* its aliment, did inferre that the thing contained vnder both kindes is not absolutely the same: and he added, that the blood of the *Eucharist*, according to the words of Christ, was blood spilt, and, by consequence, out of the vaines, in which if it remained, it could not bee drinke, so that it could not bee drawen in *concomitancie* with the vaine, and that the *Eucharist* was instituted in memory of the death of Christ, which was by separation, and effusion of blood. Whereat there was a noise raised amongst the Diuines, and a cracking of the benches. Therefore, recalling himselfe, he retracted, and said that the heat of disputation had caried him to alledge the reasons of the aduersaries, as if they had beene his owne, which notwithstanding he purposed to resolue in the end; and hee spent the residue of his discourse in resoluing them; and, in conclusion, asked pardon of the scandall giuen, because hee had not spoken with such caution, as to shew plainely that those reasons were captious, and contrary to his owne opinion. And he made an end without speaking of the other 3. Articles.

Friar *Amante* concurreth in opinion with the Lutherans

But presently recanteth, and asketh pardon

But, concerning the fourth Article, the Spanish Diuines, and dependants on *Spaine*, were maruellously vnited, in giuing counsell that, by no meanes, the vse of the Cup should bee permitted to *Germany*, or others. The substance of that which they said was; That none of the causes which formerly mooued the Church to take it from the people beeing ceased, yea beeing now more vrgent, and others more strong and essentiall annexed, it was fit to perseuere in the determination of the Councel of *Constance*, and of the Church before and after. And discoursing of the dangers of irreuerence, which was the first kinde of the causes, they said they were now more to be feared, then in former times. For then there was none who did not constantly beleeue the reall and naturall presence of Christ in the Sacrament, after the consecration, so long as the kindes did last, and yet the Cup was taken away, because men had not such regard to the blood of Christ, as was necessary; and therefore what reuerence can bee hoped for now, when some doe deny the reall presence, and some will haue it onely in the vse? Besides there is not so much deuotion amongst good Catholiques, diligence in humane affaires, and negligence in diuine beeing much increased; so that it may be feared, that a greater neglect may produce a greater irreuerence. To make a difference betweene Priests and others, is now more necessary then euer, because the Protestants haue exposed them to the hatred of the people, and spread a doctrine which taketh from them their exemptions, subiecteth them to lay Magistrates, detracteth from their power of absoluing from sinnes, and saith also that they should bee called to the ministery by the people, and bee obnoxious to be deposed by them; which should force the Church to preserue exactly all those rites, which may giue them reputation. The danger that the vulgar may receiue an impression of false beleefe, and be perswaded that some thing is in the Cup which is not vnder the bread, is now more vrgent, in regard of the new opinions spread abroad.

The 4. Article that the Cup is not to bee allowed to the people, is strongly maintained by the Spanish Prelates.

abroad. Many ſaid, that the Church did prohibite the Chalice, to oppoſe the error of *Neſtorius*, who did beleeue that all CHRIST was not vnder one kind; which being the opinion of ſome of the heretiques now, the prohibition is to be maintained ſtill. What they would inferre by this I cannot expreſſe better, hauing neuer read that *Neſtorius* did ſpeake in this ſubiect, nor that the Modernes doe handle it with thoſe termes. But the third danger that the authoritie of the Church would bee debaſed, and a concluſion made that it hath erred in taking away the Cup, may be called not a danger, but a thing that would certainely happen; neither was the requeſt made by the Proteſtants, but to conclude, that the Synod hauing confeſſed the error paſt, hath corrected it, by this graunt; ſo they will publiſh the victorie, and demaund a change alſo in other conſtitutions of the Church. They ſaid they were deceiued, who thought the Dutch-men would bee ſatisfied with this, and ſubmit themſelues to the decrees of the Councell; yea, they will take away faſts, difference of meates, demaund marriage of Prieſts, and an abolition of Eccleſiaſticall iuriſdiction in the exterior Court, which is the marke at which they all doe ayme; that it is not credible they are Catholikes who deſire the Cup, becauſe the Catholikes do all beleeue that the Church cannot erre, and that no deuotion is acceptable to God if it be not approued by it, and that obedience to the Church is the height of Chriſtian perfection; that it is certainly to bee beleeued, that he that doth demaund the Cup thinkes it neceſſary, and he that thinketh ſo, cannot be a Catholique; that none doth demaund it beleeuing that hee may not lawfully vſe it without the graunt of the Councell, but that they may not be hindered by their Princes, who, if they were alone, would vſurpe it, without any allowance; that of this euery one may bee aſſured, obſeruing, that, not the people, but the Princes doe entreat, who will not ſuffer a nouitie without a lawfull decree, not becauſe the people would not bring it in of themſelues, more willingly, then ſeeke it of the Councell.

1562
PIVS. 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

And this argument was ſo preſſed, that Fryar *Francis Forier*, a *Portugall*, vſed a conceipt, which the auditors thought to be not onely bold, but petulant alſo; that the Princes would make themſelues Lutherans, by permiſſion of the Councel. The Spaniards exhorted them to conſider, that, if this were graunted to *Germanie*, *Italie*, and *Spaine* would demaund the like, to whom it could not be denied; from whence alſo theſe Nations would learne not to obey, and to deſire a change of other Eccleſiaſticall Lawes; and that to make a moſt Catholike Countrey Lutheran, there was no better meane, then to giue it the Cup. *Franciſcus Della Torre*, a *Ieſuite*, repeated a ſaying of the Cardinall Saint *Angelo*, the chiefe *Penitentiarie*, that Sathan, who was wont to transforme himſelfe into an *Angell* of heauen, and his Miniſters into Miniſters of light, doth now vnder the couer of the Chalice, with the blood of CHRIST, exhort to giue the people a Cup of poyſon.

A petulant ſaying of a Fryar againſt the Princes, who demaunded the Cup.

Some added, that the prouidence of God, guiding the Church, inſpired the Councell of *Conſtance*, in the former age, to eſtabliſh the taking away of the Cup, by a decree, not onely for the reaſons which were then of force, but becauſe if it were now in vſe, there would be no externall ſigne, to diſtinguiſh the *Catholiques* from the *Heretiques*, and this diſtinction being taken away,

1562
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.

away, the *Proteſtants* would bee mingled in the Church with the faithfull, and that would follow which Saint *Paul* ſaith, that *A little leauen doth quickly make ſower a great lumpe*; ſo that to graunt the Cup would bee nothing elſe but to giue the heretiques greater opportunitie to hurt the Church. Some alſo, who knew not that the petition had bene preſented to the Pope, and by him, (to vnburthen himſelfe, and draw the matter in length) referred to the Councell, did expound it ill, that the requeſt was then made to the Synod, and not to the Pope, ſuſpecting it was to this end, that they might enlarge euery grant with vnfit interpretations, and ſo cauſe a neceſſity of another Councell.

But thoſe who thought they might condeſcend to the requeſts of the Emperour, and of ſo many other Princes and people, gaue counſell to proceed with leſſe rigour, and not to make ſuch bad interpretations of the godly prayers of the weake brethren, but to follow the precept of Saint *Paul*, to transforme themſelues into the defects of the imperfect, to win them, and not to haue worldly aymes of reputation, but to gouerne themſelues by the rules of charitie, which treading vnder foot all others, euen thoſe of humane prudence, and wiſedome, hath compaſſion, and yeeldeth to euery one. They ſaid they ſaw no conſiderable reaſon adduced by the others, but onely that the *Lutherans* would ſay that they had prooued that the Church hath erred, and would make other demaunds. But he is deceiued who beleeueth that a Negatiue will make them hold their peace. They haue ſaid already that an error hath beene committed, they will ſay hereafter, that obſtinacie is added to it; and where humane ordinations onely are in queſtion, an alteration will not ſeeme ſtrange, nor misbeſeeme the Church. Who knoweth not that the ſame thing cannot agree to all times, that there are innumerable Eccleſiaſticall rites eſtabliſhed and aboliſhed; and that it is not againſt the honor of the Councell to haue beleeued that a rite hath beene good, which experience hath ſhewed to be vnprofitable. To perſwade ones ſelfe that this demand will beget others, argueth to much ſuſpicion, and deſire of aduantage; but S. *Paul* ſaith, that *ſimplicitie and Chriſtian charitie doth not thinke euill, beleeueth euery thing, ſupporteth all, hopeth well.*

It belonged to theſe onely to ſpeake of the firſt Article, becauſe thoſe of the abſolute negatiue had nothing to ſay of it. But theſe were diuided into two opinions. One, which was the more common, that it ſhould be granted, vpon ſuch conditions as *Paul* the third did grant it, of which wee haue ſpoken in their place. The other of ſome few, that if they would grant the Cup, to make them ſtand faſt in the Church, who now doe ſtumble, it is meet ſo to temper it, as that it may produce the effect deſired; which thoſe conditions cannot doe, yea would vndoubtedly make them fall headlong into *Lutheraniſme*. It is certaine, that the penitent man ought rather to chooſe any temporall euill then to ſinne; yet *Caietan* gaue counſell, not to come to any ſpecificall compariſon, and ſay, that it is better to be put to death with pincers, or vpon the wheele, &c. becauſe by this meanes one ſhould tempt himſelfe without neceſſitie, and fall from a good diſpoſition, preſenting horrours to himſelfe, to no purpoſe. So, in the preſent occaſion, theſe ambiguous men, when the Councels fauour ſhall be brought vnto them, will

reſt

reſt ſatisfied, and thanke GOD, and the Church, and will thinke no more of it, ſtrengthening themſelues by little and little. It is the preciſe commandement of S. *Paul*, to receiue the weake in faith, not with diſputations, or preſcribing them opinions and rules, but ſimply, expecting opportunitie to giue a more ample inſtruction. Hee that ſhould now propoſe a condition in *Germanie*, to beleeue this or that, would trouble them much, while their mindes doe wauer, ſo that, thinking whether they ought to beleeue it or not, they will fall into ſome errour, on which they would not otherwiſe haue thought. To this reaſon they added, that, howſoeuer it is maintained, that the Church hath, for iuſt cauſes, taken away the Cup, if afterwards it doeth grant it vpon other conditions, without prouiding againſt thoſe inconueniences, for which it was firſt remooued, it is confeſſed, that it was taken away without cauſe. Therefore they concluded, that it was fit to conſtitute for conditions, all the remedies to the inconueniences, which firſt cauſed the prohibition; that is, that the Cup ſhould neuer be caried out of the Church; and that the bread onely ſhould be ſufficient for the ſicke, that it ſhould not be kept, to take away the danger of ſowerneſſe, that they ſhould vſe little pipes, to auoid effuſion, as formerly was done in the *Romane* Church. This being done, it will appeare that the prouiſion was firſt made vpon good reaſon, reuerence will be ſtirred vp, people and Princes will be ſatisfied, and the weake will be tempted no more. A Spaniard ſaid, that it was not ſo eaſily to be beleeued, that the Catholiques did, with ſuch heat of deuotion, deſire the Cup, and therefore that it were good to ſend into *Germanie*, to be informed who they be that demand it, what their faith is, and what be their motiues, that the Synod, receiuing the relation, may haue a foundation to proceed on, and not ground it ſelfe vpon the words of another.

1562

PIVS 4.
FERDINAND.

ELIZABETH.
CHARLES 9.

In the ſixt Article they all expreſſed themſelues in few words, becauſe there was not much to be ſaid. For the Euchariſt not being a Sacrament neceſſarily, and Saint *Paul* commanding that hee who is to receiue it, ſhould examine himſelfe whether he be worthy, it doeth plainely appeare, that it cannot be adminiſtred to any that hath not the vſe of reaſon; and if the contrary hath beene practiſed in ancient times; it hath beene where and when the trueth was not ſo well declared as now it is. Therefore the Synod ought to determine that the preſent vſe ſhould bee maintained. Some well obſerued that they ought to ſpeake of Antiquitie with more reuerence, and not ſay that they wanted the knowledge of the trueth. *Deſiderius*, a *Carmelite* Friar of *Palermo*, had an opinion by himſelfe, that the article ought to be omitted; ſaying, that the difficultie being not mooued by the Proteſtants of theſe times, it was not good, by handling of it, to ſet a nouitie on foot; that the matter was probable on both ſides, and that, when it ſhould be knowen that it was handled in the Councel, it would excite the curioſitie of many to thinke on it, & giue them occaſion to ſtumble. For ſome might be perſuaded to beleeue that the Euchariſt is a Sacrament of neceſſitie, as well as Baptiſme, becauſe the ground of that are the words of CHRIST, *He that ſhall not be borne againe of water and the Spirit, ſhall not enter into the kingdome of heauen*; and of this, *If you eate not my fleſh and drinke my blood, yee ſhall not haue life.* And the exception of children cannot plainely be grounded vpon the precept of S.

Paul,

1562 Pius 4. Ferdinand. Elizabeth. Charles 9.

Paul, to examine our ſelues, which children cannot doe, becauſe the Scripture doeth likewiſe command, that an inſtruction in the doctrine of faith ought to precede *Baptiſme*: which if it be applied to men of age, without excluding children from *baptiſme*, who cannot learne, the examination preceding the *Euchariſt* may alſo be applied to men of diſcretion, without excluding children from it. His concluſion was, that hee did approoue the vſe not to giue them the communion, but would not haue the Councell to handle that which no man oppoſeth.

The Legats doe incline to grant the Cup to *Germanie*.

The Congregations of the Diuines being ended, the Legats did incline to grant the Cup to *Germanie*, with the conditions of *Paul* the third, and ſome more; and, conſulting with their inward friends, framed decrees concerning the firſt, fourth, and fifth points, deferring the others vntill they had better conſidered how to auoid the difficulties concerning them, related by the Diuines. And calling a congregation of the Prelats, they demanded whether the three decrees ſhould be propoſed, that they might ſpeake their opinions of them in the firſt congregation. *Granata*, who had found the Legats intention, and was moſt oppoſite to the grant of the Cup, contradicted, and ſaid, that the order of the articles was to be followed; which was eſſentiall, it being impoſſible to decide the fourth and fifth, vntill the ſecond and third were decided. *Thomas Stella*, Biſhop of *Capo di Iſtria*, oppoſed, and ſaid, that in the Councell they ought not to vſe *Logicke*, and artifices, to hinder good determinations. *Granata* replied, that himſelfe deſired the ſame; that is, that propoſitions might be made to the Synod in order, that they might not ſtumble, by walking in confuſion. *Granata* was aſſiſted by *Matthias Calinus*, Archbiſhop of *Zara*, and the other by *John Thomas* of S. *Felix*, Biſhop of *Caua*, both vſing ridiculous ieſts, rather then any ſerious diſcourſe; which gaue ſome diſtaſt to the Spaniards, and made a great whiſpering amongſt the Prelats. This cauſed the congregation to be diſmiſſed; and the Cardinall of *Mantua* exhorted the Archbiſhops to reade and conſider of the draughts made, that the order of proceeding might be reſolued on in the next Congregation.

And are oppoſed by the Spaniards.

This place requireth, that, becauſe the Congregations were often ended by reaſon of ſome diſtaſts giuen to ſome great Prelate, the ordinary cauſe thereof ſhould be related. It hath beene ſhewed before that there were many Biſhops in the Councel, Penſioners of the Pope, who did all depend on *Simoneta*, becauſe hee was moſt intereſted for his Holineſſe, and had the moſt ſecret inſtructions. Hee beeing a man of an acute iudgement, made vſe of them, according to the capacity of euery one. Amongſt theſe, he had ſome who were bold and wittie, whom hee employed in the Congregations, to croſſe thoſe who entred into matters contrary to his ends. Theſe were exerciſed in the art of ieſting ſoberly, to prouoke others, and make them ridiculous, themſelues retayning their grauity, and not being moued at all. The ſeruice they did to the Pope, and the Cardinall, doth deſerue particular mention. Theſe were the forenamed Biſhops, *Caua*, and *Capo di Iſtria*, *Pompeius Iambecarus* of *Bolonia*, Biſhop of *Sulmona*, and *Bartholomeus Sirigus*, of *Candia*, Biſhop of *Caſtellanetta*; each of which, to the common qualities of their Country, had ioyned the perfections which are gained in the Court of *Rome*.

Card. *Simoneta* the Legat, maketh vſe of 4. ieſting Biſhops in the Councell.

Theſe

These did exasperate also the distasts betweene *Mantua* and *Simoneta*, before mentioned, by speaking ill, and detracting from *Mantua*, aswell in *Trent* by words, as by letters to *Rome*; which was attributed to *Simoneta*, because euery one saw hee made much esteeme of them. Whereof purging himselfe to the Secretary of *Mantua*, and to the Bishop of *Nola*, he said, that, for the small respect they bare to such a Cardinal, he would not haue had any more friendship with them, but that he had need of them in the Congregation, to oppose the impertinences of the Prelates.

Augustinus Paungarner, Ambassadour of *Bauaria*, hauing beene in *Trent* two moneths, as a priuate man, by reason of his precision to precede the Venetians, had finally commission from his Prince, to appeare in publique; and was receiued in the Congregation of the 27. of Iune, fate after the Venetian Ambassadours, and first made a protestation, saying, that as the right of his Prince was most strong, so hee was ready to defend it in any other place, but that in the Councell, where Religion is handled, hee would not stand vpon those points of honour: and therefore was contented to yeeld, but so, as that it might be no preiudice to his Master, or other Germain Princes of the Electorall blood of the Empire. The Venetian Ambassadors answered the Protestation, that their Republique had right of precedence, and that as the Duke of *Bauaria* did then yeeld, so hee ought to doe in all places. The Ambassador made a very free and long oration, in which he shewed the state of Religion in *Bauaria*, saying it was compassed with heretiques, who were also entred into it; that there were whole Parishes of *Lutherans*, *Zuinglians*, *Flacians*, *Anabaptists*, and of other Sects, which cockle the Prelates haue not been able to weede out, because the contagion is not only in the vulgar, but in the Nobilitie also. The cause hereof hath beene the bad life of the Clergie, whose great wickednesse hee could not relate, without offending the chaste eares of the auditorie. But it sufficeth that his Prince doth tell them, that the amendment of doctrine would bee in vaine and vnprofitable, if first an amendment were not made of manners. He added, that the Clergie is infamous for lust; that the politique Magistrate doth not suffer a Concubinary Citizen; which fault is so common in the Clergie, that there are not aboue three or foure in an hundred, who are not concubinaries, or secretly married, or openly; that the Catholikes also in *Germany* doe preferre a chaste marriage before an vnchaste single life; that many haue abandoned the Church for the prohibition of the Cup, saying, that the word of God, and practise of the Primitiue Church doth force them to vse it; which vntil this present is obserued in the Orientall Churches, and formerly hath been vsed in the Church of *Rome*. That *Paul* 3. did grant it to *Germany*, and the *Bauarians* doe complaine of their Prince, that he doeth enuie it to his subiects, protesting that if the Synod doe not make prouision, his Highnesse will not be able to gouerne his people, and will be forced to giue them that which hee cannot withholde. For a remedie of the scandals of the Clergie, he proposed a good reformation, and that in euery Bishopricke Schooles and Academies should be erected, to bring vp good Ministers; he demanded the mariage of Priests, without which it was impossible, in that age, to reforme the Clergie; alledging that single life was not commanded by God. He demanded also the

1562.
PIVS 4. 2.
FERDINAND. 1.
ELIZABETH.
CHARLES 9.

The Ambassadour of *Bauaria* is receiued in Congregation, and maketh a protestation about precedence.

To which the Venetian Ambassadours make answer.

The *Bauarian* maketh a long and free oration.

1562 Pius 4. Ferdinand Elizabeth. Charles 9.

the Communion vnder both kindes, saying, that if it had beene permitted, many prouinces of *Germanie* had remained in the obedience of the Apostolicke Sea, whereas those who haue continued in it vntill now, doe runne away from it, like a torrent, together with other nations; that the Duke doth not desire the three remedies mentioned, hoping to reduce to the Church the sectaries, and those that are strayed, but onely to retaine those who are not diuided as yet. He said it was necessary to begin with reformation, or else all the paines taken in the Councell would be in vaine; that, the Clergie being reformed, his Prince, if his opinion be asked in point of doctrine, will be able to say something worthy of consideration; which is not fit to be spoken now, because it is not conuenient to treat of making war against the enemie, before one hath mustered his owne forces at home. In the course of his Oration he often interposed, that his Prince spake this, not to giue a Law to the Councell, but to intimate it with reuerence; and with this conceipt also hee made an end.

The answere to it.

The Synod answered, by the *Speaker*, that hauing long expected some Prince or ambassage of *Germanie*, but aboue all the Duke of *Bauaria*, a *Baracadoe* of the Apostolike Sea in that Countrey, they were glad to see his Ambassadour, whom they doe receiue, and will labour as they haue done, to constitute whatsoeuer shall bee for the seruice of God, and soules health of the faithfull. The French-men, hearing this oration, were well pleased, because they were not the only men that did freely admonish the Prelats of that which was fit to be tolde them; but hearing the answere, they grew iealous, because this was courteous and theirs sharpe. The difference was because, howsoeuer the *Bauarian* did acutely bite the Clergie in generall, ye hee spake of the Fathers with much reuerence, whereas the French oration was especially directed to reprehend those that heard them; besides the answere made to them was premeditated, and that to the *Bauarian ex tempore*. But they were both vsed alike, being heard with the eares onely.

The Emperors Ambassadors do present a writing in Congregation, concerning the grant of the Cup.

The Emperours Ambassadours, considering, that, in the last Congregations of the Diuines, the *Spaniards*, and most of the *Italians* had spoken against the graunt of the Cup, and that many of them had called them heretiques who do demaund it, to answere to this and other obiections, to promote the proposition of the *Bauarian*, and to preuent the Prelats that they fall not into the impertinencies vsed by the Diuines, composed a writing, which they presented in the same congregation, after the Ambassador had ended his Oration. The substance whereof was. That, in regard of the place they hold, they haue thought fit to admonish the Fathers of some things before they deliuer their suffrages. That the Diuines haue these last daies spoken well, as farre as concerneth their owne Countries, but not for other Prouinces and Kingdomes. They prayed the Fathers so to frame their opinions, that they might giue a medicine not to the sound parts, which haue no neede of it, but to the members ill affected; which they will fitly doe, when they shall know which bee the weake parts, and what helpe they desire. And beginning with the Kingdome of *Bohemia*, they said there was no need to goe farre, nor to mention the things handled in *Constance*, but onely to adde, that after that Councel, no practise, force, or warre, hath

beene

beene able to take the Cup out of that Kingdome. That the Church did louingly grant it vnto them, vpon certaine conditions, which *Pius* 2. did reuoke, because they were not obserued. But *Paul* and *Iulius* the thirds, to regaine that kingdom, sent *Nuncij*, to permit it vnto thē, though the businesse, by reason of some impediments, was not brought to perfection. Now the Emperour, hauing, at his charge, instituted the Arch-bishoprique of *Prague*, and obtained in the Parlament of *Bohemia*, that the *Calistine* Priests should not be ordained but by the Arch-bishop, and should acknowledge him for a lawfull Prelate, did beseech the Pope that such an occasion, to regaine them, might not be lost; which his Holinesse hauing referred to the iudgement of the Councel, it will remaine in the power thereof to preserue that Kingdome, by granting the Cup vnto them. That those people differ but little from the Church of *Rome*; that they neuer would admit of maried Priests, nor ordayned by any Bishop out of the communion of the Apostolique Sea; that, in their prayers, they make mention of the Pope, Cardinals, and Bishops; that, if they haue any small difference in doctrine, it may easily be rectified, so that the Cup be granted to them; that it is no maruaile if an ignorant multitude haue conceiued that opinion, seeing that men learned, godly, and Catholike doe defend that more grace is conferred in the Communion of both kindes, then of one onely. They exhorted the Fathers to take heede, that their two great seueritie doe not make them desperate, and cast themselues into the armes of the Protestants. They added, that there were Catholikes in *Hungarie*, *Austria*, *Moruia*, *Silesia*, *Carinthia*, *Carniola*, *Stiria*, *Bauaria*, *Sueuia* and other parts of *Germanie*, who desire the Cup with great zeale; which being made knowne to *Paul* the third, hee gaue the Bishops leaue to communicate them with it, which, for many impediments, was not effected. Of these there is danger that, if the Cup be taken from them, they will turne to the Lutherans. The Diuines haue, in their publike disputations, made a doubt, that those who desire the Cup are heretikes; but his Maiestie doeth demand it for Catholikes only. That there is hope to reduce, by this grant, many Protestants also, as some of them haue alreadie protested they would returne and bee conuerted, being satiated with nouities; otherwise the contrarie is to bee feared. And to answere to him that asked a few dayes since, who hee is that doeth demaund it, he may know that the Emperour doeth desire, that the Arch-bishop of *Prague* may ordaine *Calistine* Priests, and the Ambassadours for the Cleargie of *Bohemia* desire the same, for that kingdome; and if there were no hope to obtaine it, there would not be left so much as any little remainder of Catholikes. In *Hungarie*, they force the Priestes to giue them the Cup, by taking away their goods, and threatning to kill them; and the Arch bishop of *Strigonium* hauing punished some Priestes for doing it, the people remaineth without any Catholike Curates, hath no Baptisme, and is absolutely ignorant of Christian doctrine, readie to fall into Paganisme. In conclusion, they prayed the Fathers to haue compassion, and to finde a meanes to preserue those people in the faith, and call backe those that are strayed.

1562

Pius 4.
Ferdinand.
Elizabeth.
Charles 9.

In the ende of the congregation the Legats gaue the draughts composed, concerning the three first Articles, for feare of the opposition made in the for-

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

mer congregation. The dayes following the Fathers handled them, and on the 3. they discoursed very amply, speaking of the sacramental grace, whether more be receiued in both kinds then in one: and some defended one part and some another. Cardinall *Seripando* said, that the same difficultie hauing beene discussed in the Councell vnder *Iulius*, it was resolued that it should not bee discussed againe. Yet some Prelates desired a declaration of it; but were not hearkened vnto, in regard of the contrarietie of opinions, and because the greater part did holde that both opinions were probable. But to auoide all difficultie, it was concluded, that all CHRIST, the fountaine of all graces, is receiued. Some of the Bishops prepared for their departure from *Trent*, who, hauing spoken with much passion and heate concerning residence, saw they were hated, and feared some grieuous incounter, in case they should perseuere. Amongst these was the Bishop of *Modena* before mentioned, a man very learned, and of a sincere conscience, *Iulius Pogek* Archbishop of *Surrento*, the Bishop of *Viuiers*, *Peter Paul Costazzarus*, Bishop of *Aqui*: and others, who had obtained leaue from the Legates: which *Mantua* gaue them, that (in regard they were his friends) he might bo set them at libertie; and the others, to take away occasion of distasts. But the Ambassador of *Portugal* did remonstrate to the Legates that this would bee a disreputation to the Councell, the cause being knowne why they suffered, and that it would bee saide there was no libertie, which would also be dishonourable to the Pope. Thereupon they resolued to stop them, and the rather, because they vnderstood, that so soone as they were departed, others would aske leaue also.

Some of the Prelats are about to depart from *Trent*, fearing they had spoken too freely concerning residence

But are stopped.

The Legates deferring to propose the other Articles, in regard of the difficulties, which they foresaw, the third of Iuly the Emperours Ambassadours and the Bauarian desired that they would deliuer their opinions concerning them; and a Congregation beeing called the next day to this effect, the French Ambassadours presented a writing, exhorting the Fathers to grant the Communion of the Cup, making this their ground, that in matters of Positiue Law, as this was, they ought to yeelde, and not to bee so obstinate, but to consider the necessitie of the time, and not giue scandall to the world, by shewing themselues so constant in obseruing mens precepts, and neglecting GODS, by reiecting reformations. And in the ende they required, that what determination soeuer they would make, it might not preiudice the vse of the Kings of *France*, who receiue the Cup in their Consecration, nor the custome of some Monasteries of the Kingdome, which doe, at certaine times, administer it. Yet nothing else was done in that Congregation, but onely sixteene points of doctrine giuen foorth, to bee discussed in the Congregations following.

The Ambassadors of *France* and *Bauaria* present a writing to perswade the grant of the Cup.

The Legates were astonished at the proposition of the Frenchmen, vnderstanding they were ioyned with the Imperialists; for which cause themselues were to walke more warily. And weighing well the motiues of the French-men to derogate frō the positiue precepts, they obserued that the grant of the Cup, besides the difficulties proposed, did drawe with it many more, in diuers matters. They remembred the request for marriage of Priests, made

The Legates are troubled with the coniunction of the French men and Imperialists, in this point of the Chalice.

by

by the *Bauarian*, and that *Lansac*, in a feast two dayes before, in the presence of many Prelates inuited, exhorting them to gratifie the Emperour in the petition for the Cup, sayd, that *France* did desire *Prayers*, diuine *Offices* and *Masses* in the vulgar tongue, that the images of the Saints should be taken away, & mariage granted to Priests, and knowing that the beginning is more easily resisted then the progresse, and that one may, with lesse paines, bee hindred from entring into an house, then driuen forth, they resolued that it was not a fit time to treate of the Cup. They perswaded *Pagnano*, Agent of the Marquis of *Pescara*, to desire that the determination might not bee made, before his King was aduised thereof. The Congregations of the sixe and seuen dayes were intermitted, to treate with the Imperialists, that they would bee contented to deferre the matter, alleadging diuers reasons: the most concluding whereof was, because the time was too short, to make the Fathers vnderstand, that the grant was necessary. Finally, after long parly, they were content, that all that part which concerneth doctrine should be deferred; wherwith the Legats not being satisfied, at the last the Ambassadors consented, that that point onely should be deferred, so that the dilation were mentioned in the Decree, and a promise made to determine it another time. The French-men remained to be treated with; where they found more facility, then they expected; who said, they had neither proposed nor required it, but onely assisted the Emperours Ambassadours. This difficultie being ouercome, they began to compose the Decrees; which to dispatch quickly, they let the Fathers know, that if any of them would aduise any thing, they should commit it to writing, that the composition might not bee foreslowed.

1562

Pius 4. Ferdinand

Elizabeth. Charles 9.

And therfore doe cause all treatie therof to be deferred.

In the Congregation of the eighth day, *Daniel Barbaro*, Patriarke of *Aquileia*, said, in deliuering his suffrage, that newes beeing come of the accord in *France*, and therefore it beeing probable that many Prelates would come, it were fit to deferre the points of doctrine vntill their arriuall: but the instance beeing seconded by none, not so much as by the French Ambassadors themselues, it did fall of it selfe. In the next Congregation *Antonius Augustinus*, Bishop of *Lerida*, put them in minde, that it would bee good to make mention of the customes of *France*, according to the instance of the Ambassadors, by putting in words which might reserue the priuiledges of that Kingdom; adding that, after the determination of the Councell of *Constance*, the *Grecians* were not forbid to communicate with the Cup, because they had a priuiledge, which hee had seene; but beeing seconded by none but *Bernardo dal Bene*, a *Florentine*, Bishop of *Nimes*, his proposition was layd aside also. After the Congregation, the Ambassadour *Ferrier* did curiously demaund of *Augustinus* the tenour, Author, and time of that priuiledge: who hauing referred it to Pope *Damasus*, the Ambassador laughed, because it was certaine that, an hundred yeeres after that Pope, to abstaine from the Cup was accounted sacriledge in the Church of *Rome*, and that the *Romane Ordinarie* doth describe the communion of the Laity alwayes with the Cup, and that in the yeere 1200. *Innocentius* the third maketh mention that the women did receiue the blood of CHRIST in the Communion.

The tenth day *Leonard Aller*, a Dutchman, titular Bishop of *Philodelphia*,

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.

who came the weeke before, deliuering his opinion concerning the Decrees, made a digression in manner of a set speach, desiring the Legates and the Synode, that the *German* Prelates might bee expected, vsing diuers reasons, but principally three; which were all taken by the Congregation; that is, That it could not bee called a generall Councell in which a whole principall Nation of Christendome was wanting. That to proceede without expecting them, would bee accounted a præcipitation. That the Pope ought to write to them, and call them particularly. The good Father knew not that the Pope had dealt with them two yeeres before by *Delphinus* and *Comendone*, his *Nuncij* in *Germanie*, nor what answeres were made by the *Protestants* and *Catholikes*, the former of which sayd they would not, and the latter that they could not come to the Councell. Some thought hee was moued by the Emperours Ambassadours, who, seeing that the proposition of the Cup was deferred, were willing to prolong the residue also.

Nine points of reformation are read.

In the next Congregation, nine points of reformation, formerly established, were read; and, to the first, that nothing should bee payd for *Ordinationes*, *Albertus Duimius*, Bishop of *Veglia*, who came the weeke before, and was not present at the discussion of the matter, said, that hee held that point to be very imperfect, if they did not constitute withal, that likewise nothing should bee exacted at *Rome* for dispensations to receiue *Orders* out of due times, before the iust age, without licence and examination of the *Ordinarie*, and for irregularities, and other Canonicall impediments. For in those things great expences are made, whereas to the poore Bishops, who haue not whereon to liue, a small almes is giuen; which he would by all meanes haue taken away, yet so, as that they giue not a scandall to the world to tithe rue, and steale gold and siluer. Vpon this occasion hee enlarged himselfe, and taxed the paiments made in *Rome* for all sorts of dispensations, and added that, whensoeuer any dispensations haue been presented to him, either for *Ordinations* or ought else, hee hath vsed to aske whether they haue paid for them, and, vnderstanding that they haue, hee hath neuer executed nor admitted them; which hee spake publikely, because it was the duety of euery Bishop so to doe. And being answered, that they had formerly treated of this in Congregation, and resolued to referre the resolution thereof to the Pope, who might, with more honour, reforme the *Offices* of *Rome*, hee replied, that, the last Lent, hee had spoken of it in *Rome*, but particularly in the house of the Cardinall *di Perugia*, in presence of many Cardinals, and Prelates of the Court, and said the same things, who answered they were matters to bee proposed in the Councell; but now, vnderstanding the contrary, he will speake of it no more, but leaue it to God.

The Bishop of *Veglia* maketh a resolute speach concerning some corruptions in *Rome*.

To the second of the *Ordinations* to title, the Bishop of *fiue Churches* said it was more necessary to prouide, according to the ancient constitutions, that none should be ordained without a title and *Office*, then without a reuenue, because it is an excessiue scandall, that many are seene to be made Priests, not to serue God and the Church, but to enioy their ease, ioyned with much luxurie, and with a good reuenue, that the Synod ought to thinke seriously hereof, and to find a meanes that there may not be any Ecclesiasticall person, who shall not be dedicated to some ministerie, because hee hath obserued, that, in

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

Rome, in these later times, Bishopriques haue beene giuen to some, onely to promote them, who, within a short time, haue resigned them, remaining titular Bishops, onely for ambition of dignity; which inuention antiquitie would haue detested, as pestiferous. To the fourth point, for diuision of great and frequent Parishes, after he had commended the Decree, he added, that it was more necessary to diuide great Bishopriques, that they might bee better gouerned; alledging that, in *Hungary*, there are some which containe 200. miles in length, which cannot bee visited and directed by one man. These things were not well expounded by the adherents of *Rome*, who thought that all were bent to reuiue the treatie of residence.

The Bishop of *Sidonia*, a man of the same Countrey, gaue worse satisfaction; proposing, vnder *metaphors*, the reformation of the Pope himselfe; saying that darkenesse could not bee taken from the starres, except it were remooued from the Sunne, nor the sicke body healed, so long as bad dispositions did remaine in the head, which doth dispearse them to all the members. And for the last point, concerning *Receiuers*, he saide, that it was not honourable for the Councel, nor profitable for the Church to beginne with the reformation of the smallest matters; that the matters of importance are first to be handled, the superiour orders to bee reformed first, and the inferiour afterwards. Which sayings seemed to please many of the Spanish Prelates, and some of the Italians also. But partly by saying that those Decrees were already composed, and that there were but three dayes to the Session, which short time did not comport the digestion of new matters, partly by making such oppositions against the things spoken as they were able, and by giuing assurance, that the Pope would make a most strict reformation in the Court, the remedies of the abuses whereof could be better discerned and applied at *Rome*, where the infirmity is better knowne, then in the Councel, and by such like reasons, the prouisions thought on by these and other Prelates, were deluded, and all were made content for that present with the nine Articles.

The Bishop of *Sidonia* proposeth *metaphorically* a reformation of the Pope.

But, the Congregation being ended, the Legates and other Papalins, remaining in the place together, to consider of what they heard, discourst that the boldnesse of the Prelates, in broaching new seditious matters, without respect, did encrease daily, which could not bee called libertie, but too much licence; and that the Diuines, with tedious discourses, tooke vp too much time, contending amongst themselues about nothing, and often passing to impertinences, which course if it did continue, the Councel would neuer be concluded. Besides there is danger that the disorder will encrease, and produce some sinister effect. *Iohn Baptista Castello*, the *Speaker*, who had exercised the same office in the former reduction vnder *Iulius*, told them, that Cardinall *Crescentius*, when they digressed from the matters proposed, without respect, was wont to interrupt them, and to cut off also the file of their discourse, to abreuiate those who were too prolixe, and sometimes to impose them silence; which beeing now done once or twice, the affaires of the Councel would bee shortned, and occasions of impertinent discourses would bee taken away. *Varmiense* was not pleased with this; who said, that, if *Crescentius* did gouerne so, it was no maruaile that the Maiestie

The Legats and other Papalins, doe consult how they may represse the licence of the Prelats.

In which consultation, *Crescentius* is reprehended by the Cardinall of *Varmia*.

1562
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.

ieſtie of God had not giuen a good progreſſe to that Counceſ; that nothing is more neceſſary to a Chriſtian Synode then liberty, and that, reading the Councels of the better times, one ſhall finde contentions and diſcords in the beginnings of them, euen in the preſence of the Emperours, moſt potent in thoſe times, which notwithſtanding did, in the end, turne, by the aſſiſtance of the holy Ghoſt, into a maruellous concord: and that was the miracle which did pacifie the world. Hee ſaid there were infinite contentions in the *Nicene* Councel, and moſt exorbitant in the *Epheſine*, and therefore no wonder if now there were ſome diuerſity of opinions eiuilly carried, which hee that would reſiſt by humane and violent meanes, will let the world know that the Councel is not free, and take from it all reputation; that it is good to referre the cauſe vnto God, who will gouerne Councels, and moderate thoſe who are aſſembled in his name. The Cardinall of *Mantua* approoued the opinion of *Varmienſe*, and diſliked the proceeding of *Creſcentius*, but ſaide it was not contrary to the liberty of the Councel to moderate abuſes with Decrees, preſcribing the order and time of ſpeaking, and diſtributing to euery one his owne part. This was commended by *Varmienſe*, and they agreed to giue order for it, when the Seſſion ſhould bee held.

The Imperialiſts were now out of hope to obtaine the Chalice, and their intereſts were ceaſed. But the French-men, with ſome Prelates, laboured much that nothing might be done in the Seſſion of the ſixteenth day, but all deferred vntill the next, as had beene done twice before. The Legates, to auoid the ſhame, did labour with all their force to eſtabliſh the points, that thoſe 4. that concerne communion, and the 9. of reformation, might bee publiſhed. Theſe therefore did ſeeke to remooue, and thoſe to interpoſe difficulties. There remayning but two daies to the Seſſion, a Congregation was held in the morning of the 14. day; in the beginning whereof *Granata* deſired the Legates, that, in regard of the importance of the matter to bee handled, they would prorogue the Seſſion; and made, as it were, an Oration, to ſhew how many difficulties were ſtill on foote, neceſſary to bee decided. The Legats, reſolute to the contrary, admitted no reaſon, and cauſed the examination of the doctrine to beginne: In reading of the firſt point, when they came to the place, where it is ſaide, that it cannot bee inferred by the words of our *Lord* in S. *Iohn*. *If you ſhall not eat the fleſh of the ſonne of man, and drinke my blood, &c.* *Granata* began, and ſaid, that that paſſage did not ſpeake of the Sacrament; but of Faith, vnder the *Metaphore* of nutriment; alleadging the Text, and many Expoſitions of the Fathers, and of S. *Auſtin* in particular. Cardinall *Seripando* expounded that place, as if hee had read in the Chaire; and it ſeemed that euery one was ſatisfied. But *Granata* replied more earneſtly, and in the end, deſired that an addition might be ioyned to it; ſaying, that, by thoſe words, howſoeuer they were vnderſtood according to diuers Expoſitions of the Fathers, the Communion of the Cup could not be inferred. This addition did not pleaſe ſome of the Fathers, and others did not regarde it; but it ſeemed ſtrange, that after things were concluded, one ſhould come with vnneceſſary additions, to diſturbe the points eſtabliſhed; and there were 57. who ſaid *Non placet*. But, to come to an end, the

Legats

Legats were content, that the clause should be added; and indeede it seemeth to bee inserted by force, and doth begin in the Latine, *Vtcunque iuxta Varias.* 1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

In the second point, of the authoritie of the Church ouer the Sacraments, when they came to this place, that they might change the vse of the Cup, by the example of the forme of *baptisme*, *Iacobus Gibertus*, Bishop of *Alise*, stood vp, and said it was a blasphemie; that the forme of *Baptisme* was immutable; that it was neuer changed; that ouer the essence of the Sacraments, which consisteth in the forme and matter, there is no authoritie; and much being said *Pro & contra*, in the end they resolued to take away that particle. It would be tedious to relate all that was spoken, by some to hinder the proceeding, and by some not to be silent, when others spake. It is naturall, when a multitude is in motion, for euery one to striue to moue most, neither was there euer any Colledge of Noble men so absolute, but that it might bee diuided into persons of honour, and of the common sort. The patience and resolution of the Legats ouercame the difficulties; so that, in the congregation of the afternoone, the points of doctrine, and the *Anathematismes* were established, howsoeuer the Cardinall *Varmiense* did very zealously interpose a doubt, at the instance of some Diuines, who told him, that whereas it is said in the third point of doctrine, The faithfull are not defrauded of any grace necessary to saluation, by receiuing one kinde onely, much cause of disputation was giuen, because the *Eucharist* being not a necessary Sacrament, it might bee inferred, by the same reason, that the Church might take it away wholly. Many of the Prelats adhered hereunto, demaunding that it might be reformed, in regard the reason alleadged against it was euident, and vnanswerable. Cardinall *Simoneta* did pacifie them with very much adoe; saying, that a draught should bee made in writing how it should be reformed, and shewed in the next congregation.

In that the Bishop of *Fiue Churches* gaue new occasion of distastes. Who hauing beene told out of Congregation, that, in *Rome*, Bishoprickes were giuen onely to promote men, returned to that matter, and spake of it at large. He seemed to declare his minde by way of excuse, but indeed he confirmed the things spoken, and the end of his discourse was an exhortation to the Fathers, to deliuer their opinions freely, without respect. *Simoneta* was much angry at the occurrences of that Congregation, and, when it was ended, did remonstrate to *Varmiense*, how contrary it was to the seruice of the Apostolique Sea, to giue eare to the impertinencies of the Diuines, men accustomed to bookes of speculation onely, and, for the most part, vaine subtilties, of which themselues make great esteeme, though indeed they are but *Chimera*; whereof one proofe is, because they agree not among themselues: that, before many of them did approue that point, without contradiction, and now some broach new matters, which, in conclusion, will be opposed by others; that it is a plaine case that what word soeuer is spoken, will bee defended by those that fauour the Speaker, and oppugned by his aduersaries. Neither will they much care though it be somewhat dangerous to doe it. But, hauing intimated two Sessions, and done nothing, if the like should happen in this, the reputation of the Councell

would

1562
Pivs 4.
Ferdinand.
Elizabeth
Charles 9.

would irrecouerably be loſt; and therefore that they muſt be carefull to doe ſome thing. *Varmienſe* was ouercome, and anſwered that hee had done nothing but to a good end, and that thoſe Diuines were addreſſed to him by the Emperours Ambaſſadours. *Simoneta* perceiued that the honeſty of that Prelate was abuſed, by the ſubtilty of others, and told the other Legates, that he doubted that the Imperialiſts might draw ſome ſecret from him, and agreed with them to admoniſh him of it vpon ſome good occaſion.

The laſt day had ſome incounters alſo. For the Biſhop of *Nimes*, at the perſwaſion of the French Ambaſſadours, deſired, that, in the firſt point of reformation, where ſome fee is allowed to the *Notarie*, for the letters patents of *Orders*, the cuſtome of *France* might not be preiudiced, where nothing is giuen. He was followed by ſome Spaniards; and they were ſatisfied, by an addition in the Decree, that the cuſtome ſhould be ſaued. Other mutations were deſired and graunted, and all was in order for the Seſſion, the next morning. The Legats riſing vp to depart, *Arias Gallego*, Biſhop of *Girone*, came and ſtopped them, and deſired they would ſet down againe, and heare him. They looked one vpon another; but their deſire to hold the Seſſion taught them patience. They ſate downe againe, with the diſtaſt of many Prelates, eſpecially of the Courtiers. The Biſhop cauſing the point of the diſtributions to be read, ſaid, that it ſeemed to him a hard thing that power ſhould bee giuen to the Biſhop to take the third part of the Prebends and conuert them into diſtributions; that formerly all was diſtributions, & that Prebends crept in by abuſe; that Biſhops had authoritie to infringe bad cuſtomes; that it was not iuſt that the Councell, by giuing to the Biſhop a third part of the authoritie which hee hath, ſhould take two thirds from him. Therefore hee deſired it ſhould bee declared that the Biſhops haue ample power to conuert into diſtributions as much as they thinke conuenient. The Archbiſhop of *Prague* confirmed this opinion with other reaſons, and the Spaniards ſeemed by their countenance to giue conſent. The Cardinall of *Mantua* hauing much commended the pietie of thoſe Biſhops, affirmed, that it was a point worthy to bee conſulted on by the Synod, and promiſed, in the name of the Legats, whoſe conſent hee firſt had, that it ſhould bee ſpoken of in the next Seſſion.

The Legates, about to part out of the Congregation, are ſtopped by the Biſhop of *Girone*.

Who maketh a ſpeech vnto them concerning diſtributions.

The ſixteenth day being come, the Legats, Ambaſſadours, and Prelats went to the Church, with the vſuall ceremonies. The Sermon was made by the Biſhop of *Tiniana*: who, howſoeuer he was reſolued not to ſpeake then of granting the Chalice, did not forbeare to take that matter onely for his ſubiect, and to diſcourſe that the vſe of the Chalice was common ſo long as the heat of charitie did endure; but, that decreaſing, and inconueniences ſucceeding, by the negligence of ſome, the vſe thereof was not interdicted, but onely it was taught, that thoſe who could hardly auoid irreuerence, ſhould leſſe offend, if they did abſtaine from it: whoſe example, in progreſſe of time, others did follow, that they might not tie themſelues to diligence. In the firſt he commended the memorable example of pietie, and blamed the impietie of the moderne innouators, who to haue it, haue kindled ſo great a fire. Hee exhorted the Fathers to charitie, and to extinguiſh the flame, and not to ſuffer all the world to burne by their default, to condeſcend to the imbecilitie

A Seſſion is held. The Biſh. of *Tiniana* preacheth, the matter of whoſe ſermon was the communion of the Cup, and Reſidence.

becillitie of their children, who demand nothing but the blood of Christ. He admonished them, not to cast away so many prouinces and kingdomes, to spare so small a matter; that seeing that blessed blood is sought with so earnest a desire, they would not feare the former negligence, for which it was omitted, but grant it; that Christ would not haue them so obstinate in their owne opinion, as to maintaine so pernicious a discord amongst Christians, for that blood which himselfe shed to vnite them in a most strict bond of charitie. He passed dexterously from that matter to an exhortation to residence, and concluded, with the distast of the others, who desired to haue those matters buried in silence. 1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9.

When the ceremonies were ended, the Masse-Bishop read the doctrine, expressed in foure heads; containing in substance. That the Synod, in regard of many errors which goe about, concerning the Sacrament of the *Eucharist*, hath determined to expound that which belongeth to the *Communion Sub vtraque*, and of children, prohibiting all the faithfull to beleeue, teach, or preach otherwise. Therefore, according to the iudgement and custome of the Church, it doeth declare, that the *Laickes* and *Clerkes*, who doe not say *Masse*, are not bound by any diuine precept to communicate *sub vtraque*, and that it cannot be doubted, without preiudice of faith, that the *Communion* vnder one kinde is sufficient; that, howsoeuer CHRIST hath instituted, and giuen the Sacrament vnder two kinds, it cannot be inferred from hence, that all are obliged to receiue it so; nor from the speech of our LORD, related in the sixt Chapter of Saint *Iohn*, where although there be words which name both kindes, yet there be also which name that onely of bread. Besides, it doeth declare, that the Curch hath euer had power to make a mutation in the dispensation of the Sacraments, so long as the substance remaineth: Which may be drawen in generall from the words of Saint *Paul*, that *the Ministers of Christ are dispensers of the mysteries of God*; and particularly in the *Eucharist*, concerning which power is reserued to it, to giue order by word of mouth. That the Church, knowing this her authoritie, howsoeuer the vse of both kindes was frequent from the beginning, yet the custome being changed for iust causes, hath approoued that other, to communicate with one onely, which no man can change without the authoritie of the same Church. It doeth declare besides, that All CHRIST is receiued vnder either of the kindes, and the true Sacrament, and that he who receiueth one onely is not defrauded of any *grace*, necessary to saluation, as concerning the fruit thereof. Finally it doeth teach, that children, before the vse of reason, are not bound to Sacramentall *Communion*, because *grace* cannot be lost in that age, not condemning antiquitie for the contrary custome, obserued in some places, because it is to be vndoubtedly beleeued that they haue done it, not for necessitie of saluation, but for other probable causes. In conformitie of this doctrine foure *Anathematismes* were read. 1. Against him that shall say, that all the faithfull are bound, by diuine precept, or necessitie of saluation, to receiue both the kinds in the *Eucharist*. 2. That the Church hath not had iust causes to communicate the *Laickes* and the *Clerkes*, who doe not celebrate the *Masse*, with the kinde of bread onely, or that it hath erred herein. 3. Against him that shall denie that All CHRIST, the Fountaine and Author

The doctrine is read, contained in foure heads.

Foure *Anathematismes* are read.

of

1562 Pius 4. Ferdinand. Elizabeth. Charles 9.

of all *graces*, is receiued vnder the bread onely. 4. Against him that shall say that the *Communion* of the *Eucharist* is necessarie for children before the vse of reason. After this another decree was read also, saying, that the Synode will examine, with the first occasion, and define two other articles, not discussed as yet: that is, Whether the reasons for which the Church hath communicated vnder one kinde, are good still, so that the Cup ought not to be granted to any; and in case it doeth appeare that it may be granted for honest causes, with what conditions the grant is to be made.

A Decree is read concerning 2. points, to be handled hereafter.

During the time of the *Masse*, *Alfonsus Salmeron*, and *Franciscus della Torre*, *Iesuits*, discoursed, the one with *Varmiense*, and the other with *Madruccio*, as they stood behind their seats; that, in the first point of doctrine, the matter of the institution of the Sacrament vnder both kindes is obscurely expressed, and that it is necessary to speake plainly, and say, that CHRIST did institute it for his *Apostles*, and those that say *Masse* onely, and not for all the faithfull; that it was necessary to insert this clause, to remooue all doubt from the *Catholiques*, and all occasion of opposing and calumniating from the *heretickes*; that they, as Diuines sent from the Pope, could not forbeare to giue their aduise in a matter of so great importance; and were both so earnest, especially *Salmeron*, who talked with *Varmiense*, that the reading of the Decree being ended, *Varmiense* first, and then *Madruccio* made the proposition; which pleased many, but was reiected by the greater part, not for its owne sake, but for the maner of proposing it on the sudden, without allowing time to consider on it. It did not please the other Legats, for the same cause also; yet, in regard of the honour of the place, they said, without any adoe, that it should be reserued to the next Session, in handling of the two next articles.

Nine points of Reformation are read.

Afterwards the nine points of reformation were read. That for collation of *Orders*, *Dimissories*, *Testimonials*, *Seale*, or any thing else, neither the Bishop nor any of his Ministers shall receiue any thing, though voluntarily offered. That the *Notaries*, where there is custome not to receiue, and where they haue no *salarie*, may receiue the tenth part of a crowne. That no secular *Clerke*, though sufficient, may be promoted to holy *Orders*, if hee haue not a Benefice, patrimonie, or pension, able to maintaine him; and that the Benefice may not be renounced, nor the pension extinct, nor the patrimonie alienated without licence of the Bishop. That in the Cathedral or Collegiate Churches, in which there are no distributions, or very small, the Bishop may conuert, to that vse, the third part of the profits of the Prebends. That in Parish Churches, where much people is, the Bishops may compell the *Rectors* to take the assistance of other Priests, and those that are large in compasse may be diuided, and furnished with new *Rectors*, if there shall be need, and the people may be compelled to contribute. That the Bishops may make a perpetuall *Union* of Benefices, with cure, or without, because of pouertie, or other iuridicall causes. That the Bishops may giue *Coadiutors* to Parish Priests that are vnlearned, and punish those that are scandalous. That the Bishops may ioyne the Benefices of olde ruinous Churches to others, and cause the Churches to be built, compelling the people to contribute to the fabrique. That they may visit all Benefices holde in *commenda*. That the name, office, and vse of a Receiuer be taken away in all places. In the end, the Session was

ordained

ordained for the seuenteenth of September, and a declaration made, that the Synod might abbreuiate or prorogue, at pleasure, as well that Terme, as any other, which shall be limited for the future Sessions.

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.

The actions of this Councel were not in so great expectation in former times, as at this present, in regard all Princes had agreed in demanding it, and sent Ambassadors, and that a great number of Prelats were assembled, foure times so many as before: and had beene begunne new, fiue monthes, and those spent in daily and continuall, treaties and discussions, with dispatches of many Curriers and Prelats from *Rome* to *Trent*, and from *Trent* to *Rome*. But when the Session came out in print, the vsuall Latine prouerbe, of *The birth of the Mountaines*, was generally vsed by all. And particularly the delaying of two Articles was noted; it seeming strange, that, hauing made foure Articles of faith, with 4. *Anathematismes*, they were not able to declare that of granting the Cup, which is *de iure Ecclesiastico*. Some were of opinion, that it ought to haue beene handled first, because if it had beene granted, all the disputations had ceased. The third point of doctrine was much considered on in the conclusion. For it being said that the faithfull, who receiueth the bodie of CHRIST only, is not defrauded of any necessarie Grace, it seemed a confession that some grace, not necessarie, is lost. And here a doubt was made whether there be any authoritie of man which can hinder the superabundant, and not necessarie grace of God; and if it can, whether those impediments bee charitably vsed. Two things were much spoken of amongst the rest; one, the obligation imposed to beleeue that antiquitie did not holde the Communion of children to bee necessarie; because where the trueth of a story is in question, it is a matter of facte, and past, in which there is no authoritie that can alter the things done. Yet hee that readeth *Austin* will know that, in nine places, not in a word, but with a discourse, hee doeth affirme the necessitie of the *Eucharist* for children, and two of them doe make it equall to the necessitie of Baptisme; yea he saith, more then once, that the Church of *Rome* hath holde and defined it to bee necessarie for the saluation of children; and doeth alleadge for it Pope *Innocentius*, whose Epistle doeth yet remaine, in which hee saith it plainely. And they marueiled why the Councell would, without necessitie, trouble it selfe herein, to no end, when it might bee saide that either it, or *Innocentius* had erred. The other was the second *Anathematisme*, with the declaration, that hee is an heretike, who saith the Church was not induced vpon iust causes to communicate without the Cup: which was to ground an Article of faith, vpon a fact of man. And they holde it a miraculous thing that they would say, that one is bound to obserue the Decree onely *iure humano*, but is bound *iure Diuino* to beleeue it is iust, and so to make Articles of faith in things which may be changed daily. Others added also, that if the causes were so iust, they should say what they were, and not force men to beleeue by terrour, but induce them by perswasion; because that was to domineere ouer the faith, which Saint *Paul* doth so much detest. Concerning the points of reformation, it was generally said, that more light points could not be handled, nor more lightly, and that they did imitate the Physician, who, in an *Hectical* bodie, laboured to kill the *itch*. And so put their hands into mens purses, to maintaine

The actions of the Councel are censured.

First in matter of doctrine.

Secondly in point of Reformation.

1562
Pivs 4.
Ferdinand
Elizabeth.
Charles 9.

maintaine Curats, or repaire Churches, seemed a strange thing, both for the matter, and for the manner. For the matter, because the Clergie was superfluously rich, and rather indebted to the laytie for diuers evident respects; for the manner, because neither CHRIST, nor his Apostles, did euer compell men to make contributions, but onely gaue power to receiue those that were voluntarie. And he that readeth Saint *Paul* to the *Corinthians*, and to the *Galathians*, shall see the maisters treatment of the Oxe that treadeth the Corne, and the dutie of the cathechised, towards him that doth teach; yet so, as that those labourers haue no action or right by rigor of Law, nor any *Chancerie* to relieue them.

A reconciliation is made betweene the Cardinall of *Mantua*, and *Simoneta*.

The Session being ended, the Legats began to put in order those things which were to bee handled in the next, purposing to anticipate the time, if it were possible. Letters came to *Trent* from *Alexander Simoneta*, to the Cardinall his brother, and from Cardinall *Gonzaga*, to his Vncle, with most effectuall exhortations, in the Popes name, to accommodate the differences, and to holde good intelligence together; for which cause the Sunday after the Session, *Simoneta* dined with the Cardinall of *Mantua*, and made a perfect reconciliation with him. *Mantua* began to discourse of some Prelates, who came much to his house, whom hee suspected to haue done ill offices against him. But *Simoneta* did stop him modestly, and said, that hereafter they should not speake so. They consulted earnestly how they might giue full satisfaction to the Pope, and the Court, in matter of Residence, and what Prelats were fit to bee employed to perswade others. Those who had declared themselues to fauour the interests of the Pope and Court, howsoeuer they were otherwise able, they thought not fit, because they wanted credit.

The Arch-bishop of *Lanciano* presenteth the Popes Briefe to the Bishops, who had written vnto him.

They made choice of two men of sinceritie, and dextrous in negotiations, the Bishops of *Modena* and of *Brescia*. The same day the Arch-bishop of *Lanciano*, hauing called together the Prelats who had written to the Pope in their owne behalfe, presented to them the Popes *Briefe*, full of kindnesse, humanitie, and offers: which pleased them al, and did much mitigate their heate for Residence. Another accident also hapned the same day, much in the Popes fauour. For the *Marquis* of *Pescara* sent vnto his Secretarie a copie of a letter, written to him from the King, in which he told him, that, hauing vnderstood that the declaration of the *Continuation* would displease the Emperour, and *France*, and might perhaps cause a dissolution of the Councell, he gaue him commission to make no further instance for it, so that no declaration were made for a new *Indiction*, and that the Councell did proceede as it hath begun. Afterwards he gaue him order to let his Prelats know, that he had vnderstood the controuersie and dispute concerning Residence, and the instance they had made, that it might bee declared to be *de iure diuino*, saying that he commended their zeale and good intention, yet thought that the declaration did not befit the present time, and therefore wished them to desist. The Secretary shewed the letter to the Spanish Prelats; and *Granata*, hauing exactly considered of it, saide, that it was well, seeing that the Pope did dislike it; that the King did not know the importance of it; that hee was counselled by the Arch-bishop of *Seuil*, who neuer had resided, and by the Bishop of *Conca*, who remained in Court; that hee knew

The King of *Spaine* wil not haue the *continuation* of the Councell, or the point of *Residence* spoken of.

knew very well to what ende hee did commaund it; that hee would obey him in not protesting, but would neuer forbeare to demaund it, as often as there was occasion, knowing well that hee should not offend the King heerein. That point concerning the continuation was shewed also to the Imperialists, and French-men: who answered, there was no neede of that declaration to be made expresly in words, seeing that it was executed in deeds.

1562

Pius 4. Ferdinand.

Elizabeth. Charles 9. Philip 2.

In the next Congregation, held the twentieth day, the Sacrament of the Masse, and the abuses consequent, were proposed to bee handled. The Cardinall of *Mantua* did admonish the Prelates to deliuer their opinions, quietly and briefly, in the Congregations, and without noise; and related the rules which they had made for the Congregations of the Diuines, to take away contentions, confusion, and prolixitie; which, being read, were approoued by the congregation. Afterwards Cardinall *Seripando* discoursed of the manner of examining the points of doctrine, and the *Anathematismes*, in the congregations, and put them in minde that they had beene examined and discussed before in the same Councell, and established also, although not published; so that the Fathers might very much abreuiate their meditations, in regard there was neede of nothing more then of expedition. *Granata* added, that, the *Masse* hauing beene handled before, and there remaining much time vntill the Session, the matter of *Order* might be handled also. And the same was confirmed by the Bishop of *Fiue Churches*; which some vnderstood to bee spoken ironically, and others, to this ende, that they might handle residence, according to the promise of *Mantua*. In the ende, the Articles, to bee handled in the congregations of the Diuines, were giuen forth. The substance of the orders before mentioned was comprehended in seuen rules. That, in euery matter proposed, onely foure of the Diuines sent by the Pope, chosen by the Legates, should speake, two seculars, and two regulars. That by the Ambassadours of Princes three of the secular Diuines, sent by them, should bee chosen. That euery Legate should choose a secular Diuine of his owne familie. That of all the other Secular Diuines of the families of the Prelates, onely foure should bee chosen to speake, beginning with those who were created Doctours first. That amongst the Regulars euery Generall should choose three of his owne order. That none of the Diuines shall speake aboue halfe an houre, or, if they doe, shall bee interrupted by the Master of the Ceremonies, and hee that will bee more briefe shall bee more commended. That those Diuines who are not to speake may deliuer their opinions in writing to the Deputies, concerning the things proposed. By these rules they made account that foure and thirtie Diuines were to speake, and that they might all bee heard in tenne Congregations at the most. In establishing and publishing this order, the difficultie was what inscription to giue it. Some thought that to call it a meane to bee obserued by the Diuines, was to runne into the inconuenience obiected by that *Spartane* to the *Athenians*, *that wise men did consult, and the ignorant giue sentence*. For auoyding whereof the inscription was conceiued thus; A meane to bee obserued heereafter in the pointes which shall bee examined by the inferiour Diuines; inferring that the Prelates were superiour Diuines.

Seuen rules are set downe, concerning the order of examining the points of doctrine.

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP. 2.

The Articles were thirteene. 1. Whether the *Masse* bee onely a commemoration of the sacrifice of the *Crosse*, and not a true sacrifice. 2. Whether the sacrifice of the *Masse* derogateth from that of the *Crosse*. 3. Whether CHRIST did ordaine that the Apostles should offer his bodie and blood in the *Masse*, in those words; *Doe this in remembrance of mee*. 4. Whether the sacrifice of the *Masse* doeth onely helpe him who doeth receiue it, and may not be offered for others, as well liuing as dead, nor for their sinnes, satisfactions and other necessities. 5. Whether the priuate *Masses*, in which the Priest alone doeth receiue the Communion without other Communicants, be vnlawfull, and ought to be taken away. 6. Whether the mingling of water with wine in the *Masse* bee contrary to the institution of our Lord. 7. Whether the Canon of the *Masse* doeth containe errours, and ought to bee abrogated. 8. Whether the custome of the Church of *Rome*, to pronounce softly, and in secret, the wordes of the consecration, bee damnable. 9. Whether the *Masse* ought to bee celebrated onely in the vulgar tongue, vnderstood by all. 10. Whether to attribute certaine *Masses* to certaine Saints bee an abuse. 11. Whether the Ceremonies, vestments and other externall signes which the Church vseth, ought to bee taken away. 12. Whether to say that our Lord is mistically sacrificed by vs, bee the same as to say, that hee is giuen vs to eate. 13. Whether the *Masse* bee a sacrifice of praise and thankes giuing onely, or propitiatorie for the liuing and the dead. It was added, that the Diuines should speake whether these Articles were erronious, or false, or hereticall, and whether they deserued to bee condemned by the Synode; and that they should diuide them, so that the seuenteene first, should speake of the seuen first Articles; and the others, concerning the sixe following.

13. Articles concerning the *Masse* are proposed to be examined.

The French Ambassadours thought still they had small reputation in the Councell, in respect of others; and after that the Decree aforesaide came foorth were more ielous then before, because mention was to bee made of the Diuines to what King each did belong (which was not done concerning the Prelates) and none would bee present for *France*. They doubted also that, by this meanes, some preiudice might arise to the prerogatiues of the Kingdome. Therefore they did presently, and afterwards, vpon other occasions, send aduice into *France*, that the disputation would passe onely betweene the Italians, Spaniards, and Portugals; that *France* would haue no part, if his Maiestie did not presently dispatch away some Prelate, or Doctour, especially because matters of great importance, contained in the Articles proposed, were to bee handled; which also would bee a meanes to obtaine or hinder other things, according to his Maiesties desire, and the contents of their instructions; that vntill then they had proposed none of the Articles of reformation, because, not hauing suffrages to maintaine them, no account would haue been made of their remonstrances; that the Councell will not hearken to any thing that is preiudiciall to the profit or authoritie of the Court; because the Pope is Lord of the propositions, it hauing been determined in the beginning, and euer since obserued, that nothing may bee proposed but by the Legats; as also of the resolutions, because so many

The French Ambassadors write to their King for Prelats or Doctors to bee sent out of *France*.

And cõplaine of the proceeding in Councell.

many Prelats are his pensioners, and stand at his deuotion; that it is resolued that the Councell shal not meddle with reforming the Court, but reserue that whole businesse to his Holinesse; that the Spaniards who were very zealous for the reformation, are cooled and put in feare, by the reprehension of their King; that there is no hope, so long as the case standeth thus, to obtaine any thing but what pleaseth the Pope, because no instance made by all the Ambassadours and Princes which are in *Trent*, hath been able to perswade a good reformation of the Ecclesiasticall discipline; howsoeuer Articles, conformable not onely to the vse of the Primitiue Church, but euen to the Decrees of the Popes themselues haue been presented to the Legats; that, in stead of those, they propose points of the present controuersies of doctrine, though they haue been told it is superfluous, in absence of the Protestants, and that, if they propose any thing concerning manners, it is of small importance, and of no fruit. 1562

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The Pope, dayly aduised of the diuers occurrences in *Trent*, did feare that no Decree would bee published in the Session at the day appointed: but vnderstanding how happily it passed, was exceeding glad; and the more, in regard of the reconciliation of the Legates, and of the letter of the King of *Spaine*. Hee could not conceale his ioy, but imparted it in Consistorie, and spake of it to the Ambassadours, and thanked the Cardinall of *Aragon*, brother of *Pescara*, to whom he did attribute this seruice. And being wholly bent to conclude the Councell quickly, and finding that nothing could prolong it, but the points of residence, and of the communion of the Cup, he wrote to the Legates, that he was wholly intent to the reformation of the Court; that they should assure thereof the Ambassadours and Prelats who spake of it; and that themselues should dispatch the other matters: which they might doe in three Sessions more. Hee commended them for hauing reserued power to abbreuiate the time prefixed, exhorting them to make vse thereof. Hee added, that, knowing it was hard to make a good resolution in the Councell, in matter of residence, because many Prelates, hauing deliuered their opinion to a good end, were interested in their honour, they should procure that it might bee referred vnto him, and likewise should free themselues from instances made by Princes for the communion of the Cup, by making the same reference. And if any difficultie, hard to bee resolued, shall happen, in any of the points, which remaine to be handled, they should propose the remitting of it to him also; because hee can more easily decide any thing in Consistory, calling some Doctors, if there bee occasion, then in *Trent*, where mens diuers interests make the resolutions impossible, or very long.

The first Congregation of the Diuines was held the next day in the afternoone, in which the order of speaking but halfe an houre was so well obserued, that *Salmeron* the *Iesuite* spent the whole time himselfe, with much faucinesse, saying hee was sent by the Pope, and that being to speake of important and necessary matters, no time was to bee prescribed vnto him; and discoursing on the seuen Articles, spake onely common things, which deserue not particular mention. The next morning hee was imitated by his fellow *Torre*, who spent that whole Congregation also, and rather repeated the

The *Iesuits* will not obserue the rules.

1562 things spoken before, then added any thing of his owne. But, which was worst of all, comming, in the end, to the place of *S. John*; *If you eate not, &c.* hee said, it must needes bee vnderstood of the Sacramentall *Communion*, and added, that, in the first point of doctrine, published in the last Session, it seemed that doubt was made of it, and therefore that it was necessary to declare in the next, that nothing is spoken of in that passage but the Sacrament; and that if any were of another opinion, hee appealed to the Synod. The Legates were much offended at his speach, as well because it crossed the determination of the Councell, as because it shewed a necessitie of the *Communion* of the Cup; but much more, because those *Iesuites*, howsoeuer they were the first, would bee excepted both from the generall orders: with so much petulancie. They called to minde the stirres raised by them in the Session, and *Torre* was particularly noted by *Simoneta*, for hauing written against *Catharinus* in fauour of residence, that it is *de iure diuino*, with insolent termes, as the Cardinall said. Therefore, the Congregation beeing ended, hee told his Colleagues, that it was fit to represse this boldnesse, and giue example to others; and they agreed so to doe vpon the first occasion.

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

With whom the Legats are displeased.

In the discussions of the Diuines all were vniforme in condemning the Protestant opinions of heresie, in the Articles proposed, and did quickly dispatch the others. The discourse of euery one was long, in prouing the Masse to be a sacrifice, in which Christ is offered vnder the sacramentall elements. Their principall reasons were; That CHRIST *is a Priest according to the order of Melchisedec*: but *Melchisedec* offered bread & wine; therefore the Priesthood of CHRIST doth require the sacrifice of bread and wine. Moreouer, the *Paschall Lambe* was a true sacrifice; and that is a figure of the *Eucharist*; therefore the *Eucharist* also must bee a sacrifice. Afterwards the prophecie of *Malachie* was alleadged, by whose mouth God reiected the sacrifice of the Iewes, saying his Name was holy, great amongst the *Gentiles*, and that in euery place, a pure oblation is offered to him; which cannot bee vnderstood of any thing else which is offered in euery place, and by all Nations. Diuers other congruities, and figures of the old Testament were produced, some grounding themselues vpon one, and some vpon another. In the new Testament the place of Saint *Iohn* was brought, where CHRIST sayth to the woman of *Samaria*, that *the houre is come in which the Father shall bee worshipped in Spirit and in trueth*: and to worship in the holy Scripture doth signifie to sacrifice, as appeareth by many places. And the woman of *Samaria* asked him of the sacrifice, which could not be offred by the *Iewes* but in *Ierusalem*, and by the *Samaritans* was offered in *Garizim*, where CHRIST then was. Therefore they sayd the place was necessarily to be vnderstood of an externall, publike, and solemne adoration, which could be no other but the *Eucharist*. It was proued also by the words of CHRIST, *This is my bodie which is giuen for you, which is broken for you. This is my blood which is shed for you.* Therefore there is a breaking of the bodie, and an effusion of blood in the *Eucharist*, which are actions of a sacrifice. Aboue all, they grounded themselues vpon the words of Saint *Paul*, who putteth the *Eucharist* in the same kind with the sacrifices of the *Iewes*, and of the *Gentils*, saying, that by it, the body and blood of CHRIST are participated; as in the *Hebraisme*, he that eateth of the

The discussion of the Articles.

hoast,

hoaſt, is partaker of the altar; and one cannot drinke the Cup of the LORD, and eate of his table, and drinke of the Cup of Deuils, and bee partaker of their table. But that the Apoſtles were ordayned Prieſts by CHRIST, they prooued plainely, by the words ſpoken to them by CHRIST our LORD; *Doe this in remembrance of me.* For better proofe, many authorities of the Fathers were adduced, who doe all name the *Euchariſt* a ſacrifice, or, in more generall termes, doe teſtifie that a ſacrifice is offered in the Church. Some added afterwards, that the *Maſſe* was a ſacrifice, becauſe CHRIST offered himſelfe in the ſupper. And they brought this reaſon for the moſt principall, and prooued the ground thereof, becauſe the Scripture ſaying plainely that *Melchizedec offered bread and wine*, CHRIST could not haue beene a Prieſt after that order, if hee had not done the like; and becauſe CHRIST ſaide, that his blood was a confirmation of the new Teſtament; but the blood which doth confirme the old, was offered in this inſtitution: therefore it followeth, by a neceſſary conſequence, that CHRIST himſelfe alſo did offer it. They argued alſo, that CHRIST hauing ſaid, *Doe this in remembrance of me*, if hee had not offered, wee could not doe it. And they ſaid the Lutherans haue no other argument to prooue the *Maſſe* to be no ſacrifice, but becauſe CHRIST hath not offered; and therefore that opinion was dangerous, as fauouring the hereticall doctrine. It was alſo more effectually prooued, becauſe the Church ſingeth, in the office of the body of our LORD, CHRIST, *a Prieſt for euer after the order of Melchizedec, hath offered bread and wine.* And in the Canon of the *Ambroſian Miſſal* it is ſaide, that inſtituting a forme of perpetuall ſacrifice, hee hath firſt offered himſelfe as an hoaſt, and hath firſt taught how to offer it. Afterwards many authorities of the Fathers were produced, to prooue the ſame.

1562. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

On the other part, it was ſaide with no leſſe aſſeueration, that CHRIST, in the ſupper, hath commanded the oblation to bee made for euer, in the Church, after his death; but that hee hath not offered himſelfe, becauſe the nature of that ſacrifice did not comport it. And, for proofe heereof, they ſaid that the oblation of the *Croſſe* would haue beene ſuperfluous, becauſe mankinde would haue beene redeemed by that of the ſupper, which went before. That the ſacrifice of the Altar was inſtituted by CHRIST, for a memoriall of that which hee offered on the *Croſſe*; but there cannot bee any memoriall, but of a thing paſt; therefore the *Euchariſt* could not be a ſacrifice before the oblation of CHRIST on the *Croſſe*. They alledged alſo that neither the Scripture, nor the Canon of the *Maſſe*, nor any Councel euer ſaide that CHRIST offered himſelfe in the ſupper; and added, that the places of the Fathers before alledged, ought to be vnderſtood of his oblation on the *Croſſe*. They concluded, that, hauing to define the *Maſſe* to be a ſacrifice, as indeed it was, it might moſt effectually bee done by proofes out of the Scriptures and Fathers, without adding ſuch weake reaſons. This difference was not betweene many and few, but diuided aſwell the Diuines as the Fathers, into almoſt equall parts, and occaſioned ſome contention. The former went ſo farre as to ſay that the other opinion was an errour, and required that it ſhould be ſilenced by an *Anathematiſme*, condemning of hereſie, thoſe that ſay, that CHRIST hath not offered himſelfe in the ſupper, vnder the ſacra-

In which the Diuines are much diuided.

1562
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

mentall elements. The others ſaid it was not a time to ground ones ſelfe vpon things vncertaine, and vpon new opinions, neither heard nor thought of by antiquity, but that one ought to inſiſt vpon that which is plaine, and certaine, both by the Scripture and by the Fathers, that is, that Christ hath commanded the oblation.

All the moneth of Iuly was ſpent by the ſeuenteene who ſpake vpon the firſt Articles; the later they diſpatched in a few dayes, rather with iniurious tearmes againſt the Proteſtantes, then with reaſons. It is not fitte to relate the particulars, but onely ſome few that are moſt notable.

The diſcourſe of *Georgius di Ataide.*

In the Congregation of the 24. of Iulie, in the afternoone, *Georgius di Ataide*, a Diuine of the K. of *Portugall*, ſought to ouerthrow all the grounds of the other Diuines, laid to prooue the ſacrifice of the *Maſſe* by the holy Scripture; and ſaid firſt, that it could not be doubted that the *Maſſe* was a ſacrifice, becauſe all the Fathers haue ſaid it in plaine words, and replied it vpon euery occaſion: and he began with the *Latins* and *Greekes* of the ancient Church, and with the *Martyrs*, and came, from time to time, vntill the preſent age, affirming that there is no Chriſtian writer who hath not called it a ſacrifice. Therefore it muſt certainely bee concluded that it hath beene ſo taught by an Apoſtolicall tradition, the force whereof is more then ſufficient to make Articles of faith, as this Councel hath maintained from the beginning. But this true and ſolide foundation is weakened, by thoſe who would build in the ayre, ſeeking to finde in the Scriptures that which is not there, giuing occaſion to the aduerſaries to calumniate the truth, while they ſee it grounded vpon ſuch an vnſtable ſand. And hauing thus ſpoken, hee proceeded to examine, one after another, the places of the old and new Teſtament, alledged by the Diuines, ſhewing that no expreſſe ſignification of the ſacrifice could be drawen from them. To the fact of *Melchizedec*, he anſwered, that Christ was a Prieſt of that order, as hee was the onely begotten, eternall, without predeceſſor, father, mother, or genealogie. And this is prooued too plainely by the Epiſtle to the *Hebrews*, where Saint *Paul* diſcourſing at large of this place, doth handle the eternity and ſingularity of the Prieſthood, and maketh no mention of the bread and wine. He repeated the doctrine of Saint *Auſtine*, that when there is a fit place for any thing to bee ſpoken and it is not ſpoken, an argument may bee drawne from the authority negatiuely. Of the *Paſchall Lambe* he ſaid, that it could not bee preſuppoſed for a thing ſo euident that it was a ſacrifice, and perhaps to him that would take vpon him to prooue the contrary, the victory would neceſſarily be yeelded; and alſo that it was too hard a *metaphor*, to make it a *Type* of the *Euchariſt*, and not rather of the *Croſſe*. Hee commended thoſe Theologues, who, hauing brought the place of *Malachie*, added that of Saint *John*, *To worſhip in Spirit and truth*; becauſe indeed, the one and the other did formally ſpeake of the ſame thing, and were to be expounded alike, that no difficultie might be made concerning the word, *Adorare*: which certainely doth ſignifie alſo a ſacrifice; and the woman of *Samaria* tooke it in the generall ſignification. But when Christ added, *That God is a Spirit, and will bee worſhipped in Spirit*, no man that is not willing to expound all things

in an vnproper ſence, will ſay that a Sacrament, which conſiſteth of a thing viſible and inuiſible, is purely ſpirituall, but compoſed of this, and the Elementarie ſigne. Therefore he that will expound both thoſe places of internall adoration, cannot be conuinced, and ſhall haue probabilitie on his ſide; the application being plaine, that this is offered in all places, and by all Nations, and is purely ſpirituall, as God is a pure Spirit. And he proceeded, and ſaid that the words, *This is my bodie which is giuen for you, and the blood which is ſhed for you*, haue a more plaine meaning if they be referred to the bodie and blood in their naturall eſſence, then in their Sacramentall; as when it is ſaid, CHRIST *is the true vine, which bringeth forth the wine*, it is not meant that the ſignificatiue vine doth bring forth Wine, but the reall. So, this is my blood which is ſhed, doth not ſignifie that the Sacramentall and ſignificatiue blood was ſhed, but the blood naturall and ſignified. And that which Saint *Paul* ſaith of taking part of the Sacrifice of the *Iewes*, and of the table of Deuils, is vnderſtood of the *Rites* which GOD did inſtitute by *Moyſes*, and of thoſe which the *Gentiles* did vſe in ſacrificing; ſo that it cannot hence bee prooued that the *Euchariſt* is a ſacrifice; that it is plaine in *Moyſes*, that, in the votiue ſacrifices, the oblation was all preſented to GOD, and a part burnt, which was called the *Sacrifice*; and that which remained belonged partly to the Prieſt, and partly to him that offered, which they did eate with whom they pleaſed; neither was this called, to ſacrifice, but to participate of the thing ſacrificed. The *Gentils* did imitate the ſame; yea, that part which was not conſumed vpon the altar, was ſent by ſome to bee ſold; and this is the table which is not the altar. The plaine meaning of Saint *Paul* is; that as the *Iewes*, eating the part belonging to him that offereth, which is a remainder of the ſacrifice, doe partake of the *Altar*, and the *Gentiles* likewiſe, ſo we, eating the *Euchariſt*, are partakers of the ſacrifice of the *Croſſe*. And this is it which CHRIST ſaid; *Doe this in remembrance of me*; and which Saint *Paul* ſaid; *As often as ye ſhall eate of this bread and drinke of this Cup, you ſhall profeſſe that the Lord dyed for you.* But whereas it is ſaid that the Apoſtles were, by the words of the Lord, ordained Prieſts, to offer ſacrifice, when he ſaith; *Doe this*, without doubt it is vnderſtood of that which they had ſeene him to doe. Therefore it muſt be manifeſt firſt that he hath offered; which cannot be, becauſe the opinions of the Diuines are various, and euery one confeſſeth, that both the one and the other is Catholique; and thoſe who denie that CHRIST hath offered, cannot conclude by thoſe words, that he hath commaunded the oblation. Then he brought the arguments of the Proteſtants, by which they prooue, that the *Euchariſt* is not inſtituted for a ſacrifice, but for a Sacrament; and concluded that it could not bee ſaid that the *Maſſe* was a ſacrifice, but by the ground of Tradition; exhorting them to reſt vpon this, and not to make the truth vncertaine, by deſiring to prooue too much. Then hee came to reſolue the Proteſtant arguments, and gaue his Auditors ill ſatisfaction therein; for he recited them with force, & good appearance, and anſwered weakely, ſo that hee did rather confirme them. This was aſcribed by ſome to the ſhortneſſe of time which remained vntill night, and others thought he was not able to expreſſe himſelfe better, and the moſt intelligent were of opinion, that thoſe anſweres did not ſatisfie himſelfe.

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

Giueth bad ſatisfaction to the Prelats.

1562
Pivs 4.
Ferdinand.
Elizabeth
Charles 9.
Philip 2.

himselfe. The Fathers murmuring hereat, *Iacobus Paiua*, another *Portugall* Diuine, repeated, in the next Congregation, all his arguments, and resolued them, with satisfaction of his hearers; saying, in excuse of his Colleague, that he was of the same mind; and the testimonies of the Ambassadours and Prelates of *Portugall* of his honestie, and soundnesse of doctrine, caused the Legates not to bee offended with him. Notwithstanding, he departed a few daies after; neither is his name in the Catalogues of the Diuines, but only in those which were printed at *Brescia*, and *Riua*, before that time.

The 28. of Iuly, *Iohn Cauillone*, a *Iesuite*, and a Diuine of the Duke of *Bauaria*, spake very cleerely concerning the Articles; representing all, as it were without difficultie, not by way of examination, or discussion, but stirring vp their affections to pietie. He shewed many miracles, which hapned in diuers times; affirmed, that, from the time of the Apostles vntill *Luther*, no man doubted of it; alleadged the *Liturgies* of Saint *Iames*, Saint *Marke*, Saint *Basil*, and Saint *Chrysostome*. Concerning the oppositions of the Protestants, he said, they were sufficiently resolued, without which they ought to beleeue they were but fallacies, because they come from persons alienated from the Church. And, in the end, he exhorted the Legats not to permit, that in any matter whatsoeuer, the arguments of the heretiques should bee proposed, without adding a most euident resolution; which he that cannot doe, must forbeare to relate them; because true pietie requireth, that the reasons contrary to the doctrine of the Church should not be repeated, before the minds of the hearers be prepared, by shewing the peruersenesse and ignorance of the inuentors, and that their arguments are not hearkned vnto but by people of a weake braine; which being done, they may succinctly be rehearsed, with the intermediate proofes, adding the plaine answere well amplified; and when it doth seeme that some thing wanteth, the disputation is to bee diuerted to another matter, for feare of breeding scruple in the minds of the auditors, especially being Prelats, and Pastors of the Church. His discourse did please very much the greater part of the Prelats, and was commended for pious and Catholike, and that it did deserue that the Synod should make a Decree, and command that all Preachers, Readers, and Writers should obserue the rules set downe therein. But it gaue small satisfaction to the Ambassadour of his Prince, who, after the Congregation, in presence of the Imperialists, which came in complement to thanke him for his speech, said, that truely it did deserue to be commended, for hauing taught how to vse Sophistrie, in the simplicitie of Christian doctrine.

The *Rites* of the Church of *Rome* are various.

Antonius of *Valtelina*, a *Dominican* Friar, one of the last which were to speake of the sixe last articles of the *Rites*, said, that it was plaine by all histories, that anciently euery Church had her particular *Ritual* of the *Masse*, brought in by vse, and vpon occasion, rather then by deliberation and decree; and that the small Churches did follow the *Metropolitan*, and the greater, which were neere. The *Romane rite* hath beene, to gratifie the Pope, receiued in many Prouinces, though the *Rites* of many Churches are still most different from it. He spake of *Mozarabo*, where there are horses and fencings after the maner of the *Moores*, which haue a great mystery and signification; and this is so different from the Romane, that, if it were seene in Italie, one would not thinke

thinke it to be a *Maſſe*. But that of *Rome* alſo hath had great alterations (as will appeare to him that readeth the ancient booke, which remaineth as yet, and is called *Ordo Romanus*) which haue beene made, not onely in ancient times, but euen in the latter ages alſo, and the true *Romane rite*, obſerued within three hundred yeeres, is not that which is now obſerued by the Prieſts in that Citie, but that which is retained by the *Order* of S. *Dominicke*. For the veſtments, veſſels, and other ornaments of the Miniſters and *Altars*, it appeareth, not by bookes onely, but by ſtatues, and pictures, that they are ſo changed, that if the ancients ſhould returne into the world, they would not know them. Therefore he concluded, that, to bind all to approue the *Rites* which the Church of *Rome* vſeth, might be reprehended, as a condemnation of antiquitie, and of the vſes of other Churches, and might receiue worſe interpretations. He aduiſed to diſcuſſe the eſſence of the *Maſſe*, and not make mention of theſe other things. He returned to ſhew the difference betweene the preſent *Rite* of *Rome*, & that which is deſcribed in the *Ordo Romanus*; and amongſt other particulars, inſiſted much vpon this, that, according to that, the Laickes did communicate with both kindes; and ſo began to perſwade the grant of the Cup at this preſent. His diſcourſe diſpleaſed the auditorie; but the Biſhop of *Fiue-Churches* protected him, and ſaid, that he had deliuered nothing vntruely, nor giuen any ſcandall, becauſe hee ſpake not to the common people, nor to fooles, but in an aſſembly of learned men, to whom no trueth can giue bad edification, and that he that would condemne the Friar, as ſcandalous, or raſh, did firſt condemne himſelfe, as vncapable of the trueth. 1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The ſame difference which was betweene the Diuines, was alſo betweene the Prelates, deputed to compoſe the Doctrine and the *Anathematiſmes*, to be propoſed in Congregation. For, in the doctrine, being to alledge the proofes and explications, ſome approoued or diſprooued one, and ſome another, according to their affections. *Martinus Pereſius*, Biſhop of *Segouia*, who had beene preſent in the Councell at the handling of this matter, in the end of the yeere 1551. was of opinion, that the ſame doctrine and Canons ſhould bee taken, which were compoſed to be publiſhed in Ianuarie 1552. and that they ſhould be reuiewed. But Cardinall *Seripando* did not approoue it, ſaying, that there appeared in that an incomparable pietie and Chriſtian zeale, but ſubiect to the calumnies of the aduerſaries; and that the end ought not to be the inſtruction of the Catholickes, as the aime of thoſe Fathers ſeemeth to haue beene, but the confuſion of the heretickes. Therefore that they ought to be more reſerued in all parts, and not to meddle with correcting the things ordained then; that it was better to begin againe, and not to giue occaſion that it may be ſaid, that they haue reaped that which was ſowed by others. *Granata* diſſented from all, and would not haue it ſaid, that CHRIST made an oblation in the Supper, or did inſtitute the ſacrifice, by thoſe words, *Doe this in remembrance of me*. For the firſt, *Seripando* ſaid, hee did not thinke it neceſſary, and that it might be omitted, it being ſufficient that CHRIST hath inſtituted the oblation; but yet it was neceſſary to ſay by what words it was inſtituted, and there be not any other but thoſe before mentioned. But *Iohannes Antonius Panuſa*, Biſhop of *Lettere*, was very paſſionate

The Prelates are diuided in opinió, about publication of the doctrine.

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

sionate to haue the reasons of *Melchizedec*, *Malachie*, of the adoration of the woman of *Samaria*, the tables of Saint *Paul*, the oblation of Christ in the Supper, and euery other reason alleadged to be put into the Decree. In the end, after the disputation of many dayes, they agreed to put all in, that the Prelates might speake their opinions in the Congregations, and that might be taken away which did not please the *maior* part. They made also a collection of the abuses, which daily happen, in the celebration of *Masses*, which were but few in respect of those which were noted in the yeere 1551.

The thirteenth of August a generall Congregation was holde to receiue the *Proctors* of the Bishops of *Ratisbone*, and *Basil*, that they might honour this second, to the shame of the Citie of *Basil*, which did contend with him for the title, saying, hee should not be called Bishop of *Basil*, but of *Bontruto*. The draught being giuen forth, the Archbishop of *Lanciano* was of opinion, that the *Anathematismes* only should be published, and the points of doctrine wholly omitted. He alledged the example of other Councels, in very few of which it hath bin otherwise obserued, and that this same Councel of *Trent*, in the matter of Original sin, of the Sacraments, and of Baptisme, did leaue it out. He said it was for Doctors to shew reasons for their opinions, but the Iudges (such as Bishops in Councell are) were to make their sentences absolute; that, if a reason be added, not onely the Decree, but that also may be impugned, without which euery one will thinke that the Synod hath beene mooued by most potent arguments, and euery one will beleeue that it hath beene induced by those which himselfe doeth most esteeme; that it is not secure to vse reasons, though most euident, because the heretickes will oppose them, and esteeme them but little; and the more is said, the more matter of contradiction is ministred. He added also, that the coniunctures did require a sudden dispatch of the Councell, and did intimate, by words vnderstood by the Legats and fauourers of the Pope, that, by this meanes, they should giue satisfaction to his Holinesse. *Octauianus Preconius*, Archbishop of *Palermo*, who followed him in order, spake to the contrary; that the vse of Councels hath beene to make a *Symbol* of their owne, vnto which the doctrine doeth answere, and then to adde the *Anathematismes*. That this hauing beene obserued in this Councell vnder *Iulius*, and now againe in the last Session, if it were not continued, it would be said, it was for want of reasons. Hee said it was base, to shun the disputation of heretiques, yea that their contradiction would make the doctrine of the Councell shine more brightly, and that they were not to take care to finish the Councell quickely, but to finish it well. These two Prelats were so tedious, that the night concluded the Congregation, and they said it was no wonder if a *Dominican* of *Genua* (for so *Lanciano* was) should be contrary to a *Franciscan* of *Sicilie*.

The Archbishop of *Lanciano*, and of *Palermo*, are contrary in opinion.

The dayes following diuers practises were vsed, by some to finish, by others to prolong the Councell, and those who were interested vsed these and the like reasons. But, the matter being proposed once againe in Congregation, the *maior* part thought fit to continue the order begun. This set on foote againe the disputation about *residence*, and the same men were desirous of the conclusion of the Councel, and of the omission of that matter. Which gaue occasion to *Mantua* and *Seripando* to vse their endeauours, and to shewe the

The Legats vse practises to diuert the discussion of *Residence*.

Pope,

Pope, by effects, that they did accommodate themselues to his pleasure, according to the instruction which *Lancian* had brought them by word of mouth. They employed herein, to vse good perswasions, the Arch-bishop of *Otranto*, the Bishops of *Modena*, *Nola*, and *Brescia*, who were not open *Papalins*, but newly gained. They did ouercome the *Italians*, inducing them not to change their opinions, nor to contradict themselues, but not to vrge that matter any more. Many did promise, that, if the *Spaniards* would surcease, themselues would doe the like. These foure Prelates made a note of all they had perswaded, and found they had gained much; but with the *Spaniards* it was not possible to preuaile a iot, yea this made them combine the more. They wrote a common letter to the King, in answer of that which his Maiestie had written to the Marquis of *Pescara*, first complaining of the Pope, for not suffering the point of Residence to bee decided, in which all the reformation of the Church is to be grounded, and, with a very faire and reuerend manner of speech, they concluded there was no liberrie in the Councell that the *Italians* did ouercome; with pluralitie of voyces, of which some for pensions, some for promises, and those who were least corrupted for feare, did obey the will of his Holinesse. They complained of the Legats, who if they had suffered, as they ought, the point to bee concluded, when the fit time was, it might haue beene resolued for the seruice of GOD, with great concord, before they could haue written from *Rome*. That two thirds of the Prelats did desire the definition; that all the Ambassadours did fauour the truth herein: yet proceeding with modestie and charitie, they neuer had the courage to protest; They beseeched his Maiestie to consult with godly men about this Article, assuring themselues, that, after mature deliberation, he would fauour the opinion, as being catholike, pious, and necessary for making a good reformation.

1564

PIVS 4 VII FERDINAND I

ELIZABETH. CHARLES 9. PHILIP 2 II

The *Spanish* Prelats write a common letter to their King, and tell him that there is no liberrie in the Councel.

This accident assured the Legats, and their adherents, that it was impossible to burie this matter in silence, seeing that the *Spaniards* were not pacified, either by the Kings letter, or by the perswasions vsed to them: yea, had declared themselues againe, by writing into *Spaine*; which made them seeme to be insuperable. The *Papalins* therefore consulted together, and resolued to send to the Cardinall of *Ferrara* into *France* a copie of the Catholique Kings letter to *Pescara*, that he might procure such another from that King to the French Ambassadours, as well to hinder their practises to the contrary, which they daily made, as that the French Bishops, when they came, might not vnite with the *Spaniards*, as these did hope, and expect. And, to discredit the *Spaniards* with their King, they resolued to write into *Spaine*, that *Granata* and *Segouia*, their Leaders, who make shew of conscience, had promised their voices to the Bishop of *Fiue Churches*, for the Communion of the Cup, not respecting his Maiestie, who doth so much abhorre it.

At this time, the Pope, considering in what imminent danger his authoritie was, in regard of the difficulties and confusions of *Trent*, stirres of *France*, and of the Diet which was prepared in *Germanie*, in which the Emperour would be forced for his owne interests to yeeld to the Protestants, thought fit to secure himselfe by all meanes, and had giuen money a moneth before to ten Captaines, to raise Souldiers, which were lodged in *Romania* and

The Pope maketh leuies of Souldiers.

1562 and *Marca*, and grew very familiar with the Ministers of the Princes of *Italy*, and with the Cardinals who were their neere friends. This bred a suspicion in the *Spaniards* and *French-men*, and the French Ambassadour exhorted him to desist from making prouisions of warre, for feare of disturbing the Councell. The Pope answered, that the *English-men* and Protestants of *Germanie*, hauing declared themselues that they will assist the Hugonots of France, it was not fit for him to be vnprouided, that the world was full of heretiques, and therefore it was necessary to protect the Councell, as well by force, as by authoritie. The Spanish Ambassadour went not the same way, but confirming that the proceedings of the Protestants were to bee suspected, promised him all ayde and assistance in his Kings name; which hee did to hinder the making of a league in *Italie*, which would neuer haue beene pleasing in *Spaine*. The Pope accepted the offer; and, vnderstanding at the same time the vnion of his Legats, and how zealous they were to doe him seruice, was much consolated. And hee sent them word that they should hinder all speach concerning *residence*, if it were possible, or, if they could not, should make vse of pluralitie of voices; but aboue all, that they should dispatch quickly, that they might conclude it before the comming of the French men, and the assembling of the Diet in *Germanie*, that the Emperor for the great desire hee hath to make his sonne King of the Romanes, may not suffer himselfe to bee perswaded by the Protestants, to propose in Councell some thing more preiudiciall, then those things which haue been proposed already.

Pius 4. Ferdinand
Elizabeth. Charles 9. Philip 2.
And is pleased with his Legats.
The request of the French Ambassadors.

The French Ambassadours, after they had often made a modest request that their Prelates might bee expected, did, the tenth of August, present it in writing. The tenor whereof was. That the most christian King, resoluing to obserue and reuerence the Decrees of Councels, which represent the Vniuersall Church, doeth desire that the Canons of this may be receiued by the aduersaries of the Church of *Rome*, of which those who are not separated haue no neede; and hee thinketh that those which are to bee made will bee more acceptable, if the Session bee prorogued, that, vnto so great a multitude of Italian and Spanish Prelates, the French Bishops may be added, of whom, in the ancient Councels of the Church, great account hath beene made. The cause of their absence, which they the Legates haue heard before, and iudged necessarie, will cease quickely, as it is hoped; and, in case it should not, yet they will arriue before the ende of September; because they are so commanded by the King. And hereby it will come to passe also, that the Protestants, for whose sake the Councell was intimated, who say euery day that they will bee present in it, will haue lesse cause to complaine, because they cannot require more maturitie in this weightie businesse; nor accuse them for two much precipitation. They demanded that, while their Bishops were expected (that none might thinke that the King did designe that by this meanes the Councel should be idle or dissolue) they would treate onely concerning manners, and discipline, and the two points remaining in matter of the Communion of the Cup. They added this last clause, not to displease the Imperialists, who had hope to obtaine it in that Session. The Legats, hauing consulted, answered in writing; that the Prelats of *France* were,

were, before the Councel was opened, expected almost sixe moneths, and after it was begun, which was principally done in regard of *France*, they deferred to handle any matter of weight sixe moneths more, into which because they are now entred, it is not conuenient to desist, because they could not so doe, without dishonouring the Councell, and much incommodating so many Fathers; but to prolong the day of the Session was not in their power to grant, without consent of the Fathers; and therefore that they could not expect from them a more determinate answere. 1562. Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The French-men then desired, that it might be granted to them to make their proposition in the Congregation. But the Legates answered, that, before it had beene tolde them, and all the other Ambassadours, that they might negotiate with none but the Legates, and that it was formerly decreed in that same Councell that Ambassadours might not publikely speake in Congregation, but onely the day in which they are receiued, and their *Mandate* is read. This made the French-men complaine much to the Bishops, and especially to the Spaniards, and to say it was a great absurditie that the Ambassages should bee addressed to the Synod, and the *Mandats* presented to it, and yet they might not treate with it, but with the Legats only, as if they were Ambassadors to them, who are but Ambassadors themselues, as the Pope who sendeth them is a Prince; and as hee is a Bishop, and the first Bishop, they are but Proctors of one who is absent, and haue beene alwayes so esteemed in ancient Councels. They alleadged the example of the Councels of *Nice*, *Ephesus*, *Chalcedon*, *Trullus*, of the second of *Nice* also, and that the breach betweene the Pope and the Councell of *Basil* was, because they pretended to change this ancient and laudable institution. That this was a kinde of grieuous seruitude in the Councell that they could not bee heard, and an iniurie to Princes, who could not treate with those with whom they were to mannage the affaires of their states; that the Decree alleadged by them, was not shewed, and that it was fit to see it, and to know from whom it proceeded. For, if the Legates for the time being did make it, they did extend their authoritie with great exorbitancie; if the Synod, it was necessarie to examine how, and when. For it was an intolerable inconuenience, which was done in the beginning of this last conuocation of the Councell, that the Legats, with a few Italian Prelats, who came from *Rome* onely, should make a Decree, and practise it with rigour, that nothing may bee proposed, but by the Legates; so that the way is barred, to all Princes, and Prelates, to bee able to propose a good reformation, which would bee for the seruice of God; but, in stead of that, the doctrine controuersed with the Protestants is handled in their absence, without any benefit of the Catholikes, who doe not doubt of it, and aliening the Protestants, by condemning them before they are heard. And their complaints were renewed when they were informed from *Monsier de l'Isle*, Ambassadour of their King in *Rome*, that, by the Kings order, hee had made the same request to the Pope, that the French Bishops might bee expected all September, and that his Holinesse had referred it to the Legates. *Lansac* saide, it was a thing worthie of eternall memorie; The Pope referred it to the Legates, the Legates cannot doe it without the

All Ambassadors must negotiate with the Legates onely.

Whereof the Ambassadors do complaine.

1562
Pius 4. Ferdinand.
Elizabeth Charles 9. Philip 2.

Synode, and that cannot heare them; and so the King and the world are deluded.

The eleuenth of August the Bishops began to giue their voices, concerning the Decrees in matter of the Sacrifice; and almost all did lightly and vniformely passe ouer all, but onely that some did not approoue the putting in of the oblation of our Lord, in the *Supper*, and others did maintaine it, and, for many dayes, the number on both sides was almost equall.

Why the Generall of the *Iesuites* is not in the Catalogue of those who assisted in Councell.

I must not omit, as a thing worthie of memorie, that the fourteenth of August *Iames Lainez*, Generall of the Iesuites, did arriue; about whose place, because that societie had neuer beene in Councell, there was much adoe. For hee would not content himselfe with the last place of the Generals of the Regulars, and three of the same societie laboured to put him forward; for which cause he is not named in the Catalogues of those who assisted in the Councell.

The *Priuiledges* of the *Conclauists*.

The Spanish Prelats presented to the Legats a request subscribed by them all, in which, hauing rehearsed many inconueniences, caused by the exorbitant *graces*, and *priuiledges*, granted to those of the *Conclaue*, they demanded a reuocation, or, at the least, a moderation of them. The Cardinals, entring into the *Conclaue*, where they are locked vp for the election of the future Pope, vse to haue two seruants a peece, one for a *Chaplaine*, another to serue in the Chamber; which are elected by them rather for negotiations, then to serue their persons, and are ordinarily the best Courtiers of *Rome*. These often times haue no lesse part in those affaires then their Masters; so that it hath beene an olde vse, that, when they come out of the *Conclaue*, the new Pope receiueth them all into his familie, and giueth them *Priuiledges*, fitting the degree of euery one, of one kinde to Priests, of another to Seculars. Amongst those which then were vsually giuen to Priests, were these; that they might resigne, to any Ecclesiasticall person, the Benefices they held, and cause them to bee conferred vpon whomsoeuer they would name; that they might change their Benefices with any beneficed man, themselues making choice of the person to conferre both the one and the other. By this exorbitant *Faculty*, an open merchandizing was caused, and the Bishops perceiued that where any *Conclauist* was, Canonries, Parish Churches, and other Benefices were scandalously changed, at pleasure. The Spaniards complained much because great inconueniences had lately happened in *Catalonia*, by meanes hereof. But the Legates saide, that the moderation of such abuses belonged onely to the Pope, because it concerned persons of his familie, and that it had beene often concluded, to leaue the reformation of the Court to him, much more of his familie; but they promised to write to his Holinesse, and to desire a prouision: as they did. The Pope, considering that the *Conclauists* of account remaine at *Rome*, and with the Cardinals, and that the prouision would touch onely some few, and those of small esteeme, men retired to their houses, and that it was fit for his affaires, to giue some satisfaction to the Prelates of the Councell, especially to the Spaniards, resolued to yeelde vnto them, and, in the next moneth, made a reuocation of many priuiledges granted vnto those, which notwithstanding was not obserued by his successor.

Faber, the third French Ambassadour, parted from *Trent*, to returne to *Fraunce*; which made the Papalins suspect that he went to giue an account of the Councell, and to sollicite the comming of the French Prelates: and they thought he would doe bad offices because they saw his inclination by some of his letters, written to the *Chancellour*, which they had intercepted, for the ill satisfaction hee and his Colleagues had, because they could not obtaine the prorogation. Which being related to *Hanſac*, by some creatures of *Simoneta*, to discouer the truth, hee answered that hee was gone for his owne particular occasions, and that it was no maruell, if, the defects of the Councell being so manifest, one did thinke they might bee related. 1562

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

But, concerning the sacrifice of the *Masse*, in the Congregations held vntill the eighteenth, all contended resolutely about the oblation of CHRIST in the *Supper*: and father *Salmeron* was the principall man to perswade the affirmatiue. Hee went to the houses of those who were of the other opinion, especially of those who had not giuen their voyces, perswading them to bee silent, or, at the least to speake remisly, and vsed the name of Cardinall *Varmiense* principally, and some time of *Seripando*, intimating the other Legates, without naming them. And this he did with such importunitie, that the BB. of *Chiozza*, and of *Veglia*, complained of it in the Congregation of the 18. of August. And this second spake for the negatiue with very forcible reasons. Hee told them they should consider well of it, because one *propitiatorie sacrifice* beeing offered, if it bee sufficient to expiate, no other is offered but onely for thanksgiuing; and he that maintaineth a *propitiatory sacrifice* in the *Supper* must needes confesse that, by it, wee are redeemed, and not by his death; which is contrary to the Scripture and Christian doctrine, which ascribe our redemption to this. And if any say it is all one, begunne in the *Supper*, and ended in the *Croſse*, hee falleth into another inconuenience as great, because it is a contradiction to say that the beginning of a *Sacrifice* is a *Sacrifice*, and if one should cease after the beginning, and goe no further, no man would say hee had sacrificed: and it will neuer bee beleeued that, if CHRIST had not been obedient vnto his Father, euen vnto the death of the *Croſse*, but had onely made an oblation in the *Supper*, wee had been redeemed; so that it cannot bee sayd that such an oblation may bee called a *Sacrifice*, because it is a beginning of it. Hee said hee would not absolutely defend that those arguments were insoluble, but that the Councell ought not to tie the vnderstanding of any, who had conceiued an opinion, vpon so good reasons. He said, that, as hee made no difficultie to call the *Maſse* a *propitiatorie ſacrifice*, so he could not by any meanes bee satisfied, that it should be said that CHRIST did offer, because it is enough to say that hee commanded the oblation. For (said hee) if the Synod doth affirme that CHRIST did offer, the sacrifice was either *propitiatorie*, and so it will fall into the difficulties before mentioned, or not *propitiatorie*, and so, by that, it cannot bee concluded that the *Maſse* is propitiatory: yea, on the contrary, it will bee said that the oblation of CHRIST in the *Supper* was not *propitiatorie*, and therefore that of the Priest in the *Maſse* ought not to bee. Hee concluded, that it was more secure to say onely that CHRIST commanded the Apostles to offer a *propitiatory ſacrifice* in the *Maſse*. Then hee obliquely touched *Salmeron*, saying, that, if in points of reformati-

A sharpe contention about the oblatiō of Christ in the *Supper*.

Salmeron the *Iesuite* is taxed for proceeding by faction in matter of faith.

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

on, practises were vsed, it were tolerable, because they are humane, but to proceede by faction, in matter of faith, is not a good example. The Bishop perswaded so many, that it was almost the common opinion, not to make mention of the *propitiatorie sacrifice* offered by CHRIST *in the Supper*.

The same day the Archbishop of *Prague*, who came not long before from the Emperour, presented his letters to the Legates, and letters came also from the *Nuncio Delphinus*, resident with his Maiestie: both which signified, that his desire was that the *sacrifice* of the *Masse* should not be handled before the Diet, and that the Article of the communion of the Cup might be dispatched in the first Session. The Archbishop presented also, in the Emperours name, a forme of reformation. The Popes command, to finish the Councell quickly, was so peremptory, that the Emperours first demaund could not be granted: but hee was partly satisfied in the expedition of the matter of the communion of the Cup. For the Pope, vnto whom the Emperour had made the same requests, wrote to *Trent* that they should doe so. Therefore, in the next Congregation, *Mantua* proposed that, the doctrine of the sacrifice being concluded, the communion of the Cup should be handled. As the Prelats were giuing their voices, it was remembred, that the difficultie, whether CHRIST did offer himselfe in the *Supper*, was not proposed to be disputed by the Diuines, howsoeuer they haue accidentally spoken of it, and therefore that it would bee good to propose it, that it might bee disputed on expressly, or omitted.

The generall of the *Iesuites* was the last that spake in this matter, who was wholly for the oblation of CHRIST, and spent a Congregation himselfe alone, whereas, in the other, betweene seuen or tenne Prelates did speake. Euery one hauing giuen his voyce, howsoeuer the opinions were almost equally balanced, yet the Legates at the earnest entreaty of *Varmiense*, resolued to put the *oblation* into the Decree, but not vsing the word *Propitiatory*. In the end of the Congregation, the Bishop of *Fiue Churches* seconding the proposition of the Cardinall of *Mantua*, made an oration; in which hauing first repeated the negotiations and paines, taken by the Emperour for the seruice of the Christian Common-wealth, and to restore the Catholique puritie, not onely after hee was assumed to the Empire, but in the life time of *Charles*, he added, that his Maiestie had found by experience, that the most grieuous contentions and complaints of the people did arise from the prohibition of the Chalice, and had therefore desired it should bee treated on in Councell. Whereupon himselfe, and the other Ambassadours, by commission from him did, at the first, put the Fathers in mind to consider that Christian charitie did require, that they should not suffer so many sacriledges, and slaughters in most noble Prouinces, & hinder the reducing of so many soules into the bosome of the Catholique Church, by enioyning the obseruation of a *rite* with too much seuerity; that there is an infinite number of those, who hauing not abandoned the Orthodox faith, are notwithstanding weake of conscience, who cannot bee cured but by this permission; that his Imperiall Maiestie is forced to make continuall warre with the Turkes, which hee cannot doe but by the common contribution of *Germanie*; whereof so soon as hee maketh mention, they begin to speake of Religion, and principally

The Bishop of *Fiue Churches* maketh an oration concerning the communion of the Cup.

demand

demand the vſe of the Cup; which if it be not granted, and ſo the controuerſies taken away, it is to bee ſuſpected that not *Hungary* onely, but *Germany* will bee poſſeſſed by the *Barbarians*, with danger of other bordering Prouinces; that the Church hath vſed alwayes to embrace thoſe *rites* which are contrary to the new hereſies: and therefore it is good to take this reſolution which doth ſhew the faith of the veritie of the moſt bleſſed *Eucharift* againſt the *Sacramentaries*; that there is no neede, as ſome require, to ſend a Procter expreſly in the name of thoſe who doe deſire it, as was done in the Councell of *Baſill*; for then all the Kingdome alone demaunding that fauour, it might eaſily be done: but now not one people, or Nation alone, but an infinite number diſperſed in many Regions, doth make the demand; that it is no maruaile if the Petition were firſt preſented to the Pope, and not obtayned, becauſe his Holineſſe did wiſely referre all to the Synode, to ſtoppe the mouthes of the *Heretiques*, who will not receiue fauours from that Sea, and becauſe hee would not ſeeme to derogate from the Councell of *Conſtance*, it beeing conuenient, that the vſe of the Cup taken away by a generall Councel ſhould bee permitted by the definition of another, as alſo to giue reputation to the Synode, to which it is fit to remit this determination which may compoſe the diſcords of the Church; that he had letters from *Rome*, that the Pope did thinke the demand honeſt, and neceſſary, and tooke it in good part that it was deſired of the Councel. Then he preſented the Article concerning the Cup, as hee deſired it ſhould bee handled. And it contained, in ſubſtance; that it might bee granted to the States of the Emperour, as they comprehend all *Germany* and *Hungary*. This beeing read, the Prelates made a great buſſelling, and gaue manifeſt ſignes that they would contradict. But they were quieted for that preſent, becauſe it was told them, that they might deliuer their opinion, when the voices were collected. 1562 Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The third of September, the French Ambaſſadours made a new requeſt to the Legates, that, to giue more credit to the Councel, and to make the Decrees thereof to be more eaſily receiued in their Kingdome, they would prorogue the Seſſion a moneth or fiue weekes, handling other matters in the meane while, to publiſh afterwards in the next Seſſion aſwell that which hath beene diſcuſſed and determined already, as that which ſhall be handled and determined in the meane ſpace; for ſo no time would be loſt, the Councel would not be prolonged, and the King and the whole Kingdome would receiue great ſatisfaction. Beſides, the Prelats of *Polonia* being expected to come ſhortly, it would be a thing of much edification to the vniuerſality of Chriſtendome, to ſhew that eſteeme is held of two ſuch conſiderable Kingdomes. This inſtance was made the day before the Legates receiued letters from the Cardinall of *Ferrara*, that the Cardinall of *Loraine* and the French Prelates would come by all meanes, and twenty *Pariſian* Doctors with them. And other letters were ſhewed alſo, written to diuers Prelats by their friends, giuing the ſame aduice; adding, that their intention was to handle the point of the ſuperiority of the Pope and Councel. Therefore they thought it ſo much the more neceſſary to diſpatch the things already diſcuſſed, that they might not be croſſed with new troubles, fearing alſo that, to the bad humors

Newes of the comming of the Cardinall of *Loraine* to *Trent*, with many Prelates and Diuines.

1562
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

in *Trent* worſe beeing added, and more violent, ſo many difficulties would bee raiſed, that either the Councel would bee infinite, or ſome preiudiciall thing reſolued. But the Legates concealing theſe reaſons, anſwered the Ambaſſadors with honorable termes, in the maner formerly vſed by them. That the Councel was called principally for *France*; that their Prelates had beene long ſince called; that to entertaine ſo many Fathers a longer time, in the ſame expectation, would bee an indignity to the Councel, and that, if the things diſcuſſed were not publiſhed, the world would thinke that it was either by reaſon of ſome diſſention amongſt themſelues, or becauſe the reaſons of the Proteſtants had ſome validity. But *Lanſac* being ſatisfied with no anſwere, and ſtill preſſing the dilation more, complained that the Councel was opened for the French-men, and yet they were not expected; that he could neuer obtaine any requeſt of the Legates; that his remonſtrances were contemned; that in ſtead of gratifying his King, they vſed greater precipitation; that he did not attribute this to the Legates, knowing they did nothing but what was commanded from *Rome*; that they were in an error for ſuſpecting the comming of the French-men; that hauing aſſayed ſo often to obtaine that which was iuſt, and ought to bee granted without demand, it was now fit to thinke of other remedies; and ſpake ſo, as that he made them doubt he would doe ſome extraordinary matter. This raiſed a rumor in the Councel, that it would bee diſſolued. Which pleaſed the greater part; ſome, to free themſelues from the incommodities they ſuffered; ſome, becauſe they thought that remaining there they ſhould doe God little or no ſeruice; and the Papalins, for feare of ſome attempt. It was publiquely ſaid that *Lorraine*, vpon all occaſions, had ſhewed an inclination to diminiſh the Popes authority, that hee would open ſome way for *France* to aſcend to the Papacie, which he thought not fit ſhould be wholly in the diſpoſition of the Colledge of Cardinals, conſiſting of *Italians*; that *France* hath euer pretended to limit the Popes power, to ſubiect it to the Canons and Councels; that this opinion would be fauoured by the *Spaniards*, who already, howſoeuer they were much reſerued in their ſpeeches, had declared their deſire for the ſame, and would be followed by many *Italians*, who, becauſe they cannot, or know not how to make vſe of the preferments of the Court, doe enuie thoſe that doe, beſides thoſe who are deſirous of nouity not knowing why; of whom there ſeemed to be a conſiderable number.

The complaint of *Lanſac*.

In *Trent* a diſcourſe was publiſhed, which paſſed through the hands of all, and was ſent by the Legats to *Rome*; in which it was ſhewed that it was impoſſible to finiſh the Councel in a ſhort time, becauſe all Princes were inclined to prolong it. Of the French-men and Imperialiſts it could not bee doubted, in regard of theire demand made for the dilation. The King of *Spaine* ſhewed the ſame minde, hauing deſtinated the Count *di Luna* for Ambaſſador to the Synode, ſo ſoone as the Diet of *Franckfort* ſhould bee ended, to which he was firſt ſent. The Prelates, by their tedious diſcourſes, would draw the matters in length alſo. Then was ſhewed the impoſſibility to continue long in this ſort, there being no prouiſion of corne but for September onely: and it beeing not knowen where any may bee gotten, in regard of the generall dearth, and the delay, made by the Emperour and Duke

A diſcourſe publiſhed in *Trent*.

of

of *Bauaria*, to anſwere the demand made vnto them concerning victuals, it did ſeeme they could not bee relieued. It was added that the Proteſtants would alwaies bee laying ſome ſnares to make the Fathers fall into ſome diſhonorable reſolution, and raiſing nouities to cauſe Princes to propoſe things preiudiciall; that the Biſhops ſeemed to aſpire to liberty, and would not in time be contained within ſuch narrow bounds, and that the Synode would not onely be made free, but licentious alſo: and, by a fine *metaphor*, the progreſſe of the Counceł was compared to a mans body, which doth get, with delight, a ſmall, and in the beginning not regarded *French* infection, which afterwards doth encreaſe, and poſſeſſeth all the blood, and all the powers of it. It exhorted the Pope to conſider well on it, and not to come to a *tranſlation* or *ſuſpenſion*, for feare of being contradicted by all Princes, but to learne how to vſe thoſe remedies which God doth ſend him. 1562 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

Amidſt theſe troubles the Legates haſtned to conclude the Decrees for the Seſſion. That of the ſacrifice ſtood in good termes; but they talked ſtill of the grant of the Chalice: and there were three opinions. One extreame, and negatiue, that, by no meanes, it ſhould be granted; another affirmatiue, that it ſhould bee granted, with the conditions, and cautions, which ſeemed good to the Synode, which was maintained by fiftie of the moſt intelligent perſons; and, amongſt theſe, ſome would haue Ambaſſadours ſent into the Countries which did deſire it, to take information whether the grant were fit, and with what conditions. The third, that it ſhould bee remitted to the Pope; which was diuided into many branches. Some would haue had an abſolute remiſſion, without declaring whether he ſhould grant, or deny it; and others, with a declaration, that he ſhould grant it, according to his wiſdome. Some would haue reſtrayned him to particular Countries, and others left him to his libertie. The *Spaniards* did abſolutely denie it, becauſe the Ambaſſadour *Vargas* had written to them from *Rome*, that it would be for the good of religion and ſeruice of the King, in regard of the Low Countries and the State of *Milan*, who, when they ſhould ſee their neighbours enioy that libertie, would require it themſelues alſo, and whether it were graunted or denied, a great gate would be opened to hereſie. The *Venetian* Prelats, perſwaded by their Ambaſſadours, were of the ſame mind alſo for the ſame reaſon. Three opinions about the grant of the Chalice.

I will recite the principall Authors onely of theſe opinions, & the things remarkable ſpoken by them. The Cardinall *Madruccio*, who ſpake firſt, approued the grant, without exception. The three Patriarkes did abſolutely deny it. Fiue Arch biſhops who followed, referred themſelues to the Pope. *Granata*, who had promiſed the Emperours Ambaſſadours to fauour them, that they might adhere to him in the matter of *Reſidence*, on which he inſiſted aboue all, ſaid he did neither affirme nor deny, but that it could not bee concluded in that Seſſion, and was neceſſarily to be deferred vntill another, but would not referre himſelfe; ſaying it was a matter of great deliberation, becauſe it could not be regulated by the Scripture, or Traditions, but by wiſedome onely; wherein it is neceſſarie to proceed with circumſpection, for feare of being deceiued in the circumſtances of the fact, which cannot be knowen by ſpeculation, or diſcourſe; that hee made no difficultie, as o- Of which the principall authors were.

thers

1562
Pivs 4.
Ferdinand.
Elizabeth
Charles 9.
Philip 2.

thers did, for the danger of effuſion, ſhewing that the Wine is not ſpilt in the ablution which is now made; that, if it would make an vnion in the Church, it ſhould not be abhorred, it being but a *Rite*, which may be changed for the good of the faithfull: but yet hee reſerued himſelfe, becauſe other extrauagant things might afterwards be demaunded; that, to auoid errur, it would be good firſt to haue recourſe vnto God, by prayers, proceſſions, Maſſes, almes, and faſtings: afterwards, not to omit humane diligence, in regard there are no Prelats of *Germanie* in the Councell, to write to the Metropolitans to aſſemble them, and examine the matter well, and to informe the Synod according to their conſcience. He concluded, that, it being impoſſible to doe ſo many things in a ſhort ſpace, he thought fit to deſiſt now, and deferre the determination vntill another time. *Iohn Baptiſta Caſtagna*, Archbiſhop of *Roſano*, diſſwading the grant abſolutely, ſpake againſt thoſe that made, and thoſe that fauoured the requeſt, taxing them not to be good Catholiques, becauſe, if they were, they would not deſire a thing vnfit, with ſcandall of others. And he ſaid plainely, that the requeſt did ayme to bring in hereſie, and vſed ſuch words, that euery one vnderſtood, that hee meant *Maximilian*, King of the *Bohemians*.

The Arch-biſhop of *Braga*, or *Braganza*, ſaid, he was informed that in *Germanie* there were foure ſorts of men. True Catholikes: Obſtinate heretickes: Concealed heretickes; and men weake in faith. That the firſt doe not demaund the grant, yea oppoſe it; the ſecond care not for it; the third deſire it, that they may couer their hereſie, becauſe they may counterfeit in all other things, but in this; which therefore was not to be granted them, for that it would foſter their errors; but the weake in faith were not ſuch, but onely for the bad opinion they haue of the Eccleſiaſticall power, and of the Pope, and doe not demaund the Cup for deuotion, which is found onely in perſons of a good life, whereas they are drowned in vanities and pleaſures of the world, and doe vnwillingly confeſſe and communicate once a yeare, which doth not demonſtrate ſuch heate of zeale that they ſhould deſire to communicate with both kinds. He concluded, that the diligence of the Fathers of *Baſil* ought to be imitated, that foure or ſix Prelats of the body of the Councel ſhould be elected, who, as their Legats, accompanied with Diuines fit to preach, ſhould viſite the Prouinces named by his Imperial Maieſtie, and where they found penitent men, who deſired the Cup for deuotion, or becauſe they were accuſtomed to that *Rite*, and for all other matters would obey the Church, ſhould reconcile them, and graunt it vnto them.

The *Titular* of *Philadelphia*, though a *Dutch-man*, ſaid, that to deny it, being demaunded by the Emperour, was dangerous, and pernicious to grant it; but that he was reſolued rather to diſpleaſe men then ſpeake againſt his conſcience; that it was impoſſible to practiſe the vſe of the Chalice, without danger of effuſion, carrying it about, to places remote, and of bad paſſage, many times by night, in time of ſnow, raine, and ice; that the Proteſtants would boaſt, and inculcate to the people, that the Papiſts doe begin to know the truth; and that, without doubt, thoſe who make the requeſt doe maintaine that the precept of Christ cannot be fulfilled, but by taking the Euchariſt vnder both kinds. And he tooke in his hand a *Catechiſme* writ-

ten

ten in *Dutch*, which hee read and expounded in *Latine*, and declared what their opinion was. He added, that the *Catholikes* would haue the worse, and to gaine a few, would loose very many; that they would doubt on which side the true faith was, seeing the *Catholikes* yeeld to the customes of the Protestants; that the graunt made vnto *Germanie* would mooue other Prouinces, and especially *France*; that the *Heretiques* will make proofe by this, to ouersway the constancie which they haue found in the doctrine of the Catholique Church. He concluded, that it ought to be deferred, at the least, vntill the end of the Diet, that the Dutch Prelats might send to the Councell; approuing the opinion of *Granata* to defer, and the other of *Braga*, that those who desire the Cup haue all a roote of heresie, and added, that the Emperours Ambassadours had made such passionate instances, and such effectuall perswasions, that, being interested so much, it was not fit they should bee present in Congregation, that euery one might speake freely. Fryar *Thomas Casellus* Bishop of *Cana*, hauing recounted that the Bishop of *Fiue Churches* had perswaded many, saying, that if it were not granted so many mischiefes would follow, that it had beene better neuer to haue called a Councel, shewed at large, that it ought not to be granted though the losse of many soules should ensue, because a greater number would perish, if it were granted. 1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The Bishop of *Captemberg*, in *Stiria*, desired also that the Emperours Ambassadours should retire, and inueighed much against the words of *fiue Churches*, related by *Cana*. Many of the *Spanish* Prelats made the same instance to the Legats, that the Imperialists might not be present in the treaties of the Fathers during this consultation, it being sufficient for them to know, in the end, the resolution of the Synod. But others contradicted; saying, that rather they then others should be present, and that to exclude those who haue interest, hath neuer beene the custome of Synods. The Legats, considering that they had beene present from the beginning, and that they could not bee excluded without danger of tumult, resolued to make no innouation.

The Bishop of *Conimbria* was of opinion, that it would be referred to the Pope, to grant the *Grace*, with fiue conditions. That those that were to make vse of it should abiure all heresies, and, in particular, should sweare that they beleeue, that as much is contained vnder one kind, as vnder both, and as much *grace* receiued; that they should banish the heretique Preachers; that in their places they should not keepe the Chalice, nor carry it to the sicke; and that his Holinesse should not commit this to the *Ordinaries*, but send Legats, and that the resolution should not be made in Councel. For when it should be published, it would make the heretiques proud, and scandalize very many Catholiques; and therefore, in case this dispensation were to bee granted, it ought not to be put in the eyes of all nations. The Bishop of *Modena* maintained that it could not be denied, because, after the Councell of *Constance*, the Church hauing reserued to it selfe power to dispence, hath alwayes shewed, that sometimes it would be expedient to doe it; that *Paul* the third had formerly sent *Nuncij*, to release it, because he perceiued that the prohibition had done no good in so many yeeres; that the Bohemians would neuer be reduced without it; that the vse of the Cup was conformable to the institution of CHRIST, and anciently obserued by the Church.

1562 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

Friar *Iaspar* of *Casall*, Bishop of *Liria*, a man of an exemplarie life, and learned, defended the same opinion. He said in summe, that he did not wonder at the diuersitie of opinions, because those who deny haue the moderns to follow, and those who grant doe follow antiquitie, the Councell of *Basil*, and *Pauls* the third; that, in this varietie, he adhered to the affirmatiue, because the thing was good in its owne nature, and profitable, and expedient with the conditions proposed; and being addressed as a thing necessary to reduce soules, he that did desire the end, must needs vse the meanes; that the necessitie of the meanes ought not to be doubted of, because the Emperor did affirme it, whom he did beleeue that God would not suffer to be deceiued in so important a businesse, and the rather, because *Charles* was of the same opinion; and the demands of the Duke of *Bauaria* and of the Frenchmen did proue the same. And if any did doubt that the secular Princes were not well informed in this cause, being Ecclesiasticall, he must needs beleeue the Bishop of *Fiue Churches*, and the two other Bishops of *Hungarie*, who were in the Councell. And because it had beene said, that the Father was to be imitated, who receiued his prodigall sonne, but not before hee repented, he said they ought rather to imitate the shepheard in the Gospel, who sought, with great diligence, in desert and mountainous places, the lost sheepe, and laying it on his necke, brought it to the sheepefolde. The discourse of this Prelat, for the fame of his honestie and excellent learning, and because hee was a Portugal whom euery one thought would haue beene most rigorous in maintaining the *Rites* vsed, did not onely confirme those who were of his opinion, but made also very many of the opposites to wauer.

The Bishop of *Osimo* who spake after him, said; I doubt we must drinke this Cup, by all meanes, and God grant it may be with good successe. *Iohannes Baptista Osius* defended, that this vse ought not to be granted, because the Church hath neuer wont to grant the least thing according to the positions of the heretiques, yea alwayes to constitute the contrary. He shewed by that which happened amongst the Bohemians, who had alwayes beene the most rebellious, that one ought not to promise himselfe any thing of the conuersion of heretiques, but to make account hee shall be deceiued by them, and that it was necessarie to make the Emperour vnderstand, that this demaund was not profitable for his State. He desired the Legats also that they should not ground themselues vpon those who had from the beginning spoken of referring it to the Pope, because they spake confusedly, and that the suffrages ought to be collected, as vpon other occasions, by making euery one answere Yea, or No, and to omit those artificiall wayes which some had beene forced to vse to giue satisfaction. He was followed by Friar *Iohannes di Munnatones*, Bishop of *Segorne*, who said, that first he was of opinion that the *grace* ought not to be denied, but hauing heard the Bishop of *Riete*, was, by his conscience, forced to change, and defend the negatiue; that the Councel, which was iudge in this cause, ought to haue regard that, yeelding vnaduisedly to the Emperour, they doe not preiudice other Princes. Friar *Marcus Laureus*, Bishop of *Campania*, said, that the Emperour did heartily desire this grant, but that it would be sufficient for his Maiestie for the gaining of his people,

to make a ſhew onely, and therefore that it would be fit to giue him an account of the difficulties, that he might iuſtifie himſelfe with them. 1562

Petrus Daneſius, Biſhop of *Lauaur*, did not define whether it were fit to grant the Cup or not, but ſpake onely againſt the opinion of referring it to the Pope. He ſaid in ſumme, that perhaps the Pope would be offended, becauſe hauing beene firſt requeſted himſelfe, and hauing, either for that hee knew not how, or would not reſolue, referred it to the Councell, it is a manifeſt argument that hee would not be pleaſed if it were remitted to him againe with the ſame ambiguities; and the Councel, which conſiſteth of many, may more eaſily beare the burthen of the importunities of thoſe who complaine for want of ſatisfaction, and require a remedie, then the Pope alone, who, to maintaine his dignitie, muſt hold an eſteeme of many reſpects. Beſides, it will giue occaſion of calumnies, that the Pope remitteth to the Councel, and the Councell to the Pope, to delude the world. Afterwards he came to Logicall termes, ſaying, that either it is referred to the Pope as ſuperiour, or as inferiour; that either the Councell, not daring to reſolue, in regard of the difficulties, doeth remit it to a greater power, or, to free it ſelfe, doeth referre it to an inferiour: but neither the one nor the other is fit to be done, before it be decided which power is ſuperiour; becauſe euery one will hence draw an argument for his opinion, and much occaſion will be giuen for diſputations and diuiſion. He ſaid, with aſſeueration, that no wiſe Prelate ought to conſent to the reference, if he were not firſt aſſured in which of the two kindes it ought to be done; yea that it was impoſſible it ſhould bee done but that the words would ſhew either the one or the other. The *Papalins* were impatient to heare this Prelate.

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The Biſhop of *Fiue Churches* ſpake in thoſe Congregations, in his place, as a Prelate; and following immediately after, with other new diſcourſes, he made them forget the former, and making a long digreſſion, perſwaded the grant of the Cup. Then he anſwered, point by point, to all the oppoſitions. Hee ſaid their was no need to anſwere thoſe who would exclude him from the Congregations, becauſe their reaſons were as ſtrong againſt the Emperor himſelfe, if hee had beene preſent; that hee would not anſwere the dangers of effuſion, becauſe if they had beene remedileſſe, the Councel of *Conſtance*, would not haue reſerued power to diſpence; that the diſcourſes of thoſe who perſwade the negatiue ſeeme vnto him weighty, and effectuall, and able to draw him to that ſide, if hee had not practiſe and experience in that buſineſſe, which hath more neede of ſuch knowledge, then of Science and ſpeculatiue reaſons. To thoſe that ſaid, that the like grant did neuer any good in times paſt, he anſwered, that it was quite contrary, becauſe, after the treatie of *Baſil*, many *Catholiques* were preſerued in *Bohemia*, who ſtill liue in peace with the *Caliſtini*, and haue lately receiued the new Arch-b. of *Prague*, by whom they cauſe their Prieſts to be ordained. To thoſe that feared to put new cogitations into other Nations, hee anſwered, that thoſe would not be moued by ſuch an example, becauſe hauing in them no mixture of hereſie, and being deſirous to preſerue the puritie of Religion, they would refuſe the Cup, though it were offered vnto them; that the *Germans* the more it is denied them, the more they deſire it, but if it were granted them, they might

be

1562
Pivs 4.
Ferdinand
Elizabeth.
Charles 9.
Philip 2.

be diuerted from that vſe; the feare that when they had obtained this, they would paſſe to other demands was too ſuſpicious, and if they ſhould, they might alwayes be denied, that it could not be called a nouitie, becauſe it had beene granted by the Councell of *Baſil*, and by *Paul* the third; whoſe miniſters, had they been more couragious, and not retired from that diſpenſation for ſmall terrours, becauſe ſome impertinent Friars preached againſt them, would haue done more good; that he was much offended with the reaſon alledged by ſome, that as no man could be receiued with condition that fornication ſhould bee permitted vnto him, no more can theſe people, who would be reconciled, ſo that they may haue the vſe of the Cup. For the firſt condition is abſolutely bad, and this onely as it is prohibited. He anſwered the Biſhop of *Sogorne*, that the Emperour did not contend with any Prince, nor ſought preiudices againſt others, and deſired the Cup for his people by *grace*, and not by way of iuſtice. But vpon thoſe who ſayd the care hereof ought not to bee committed to the Ordinaries, but that Delegates were to to bee ſent from the Apoſtolique *Sea*, hee ieſted ſomewhat ſharpely; aſking whether hee that had the charge of their ſoules, and all the ſpirituall gouernement might not be truſted with a thing indifferent, or whether they thought that this thing did exceed the Epiſcopall gouernment. He ſayd that to referre it to the Pope was to giue him new and continuall moleſtations. To *Philadelphia* hee anſwered, that the Catholiques would not onely not be troubled, but conſolated, becauſe they might liue vnited with thoſe, with whom they are now much troubled. To them who would haue *Proctors* ſent expreſly, he ſaid, it was no maruell that none came to demand this *grace*, becauſe the Emperour had vndertaken to demand it for them, who could make an infinite number of them to come if the Fathers would. But as the Councell was carefull not to make the Safe conduct too large, that ſo many Proteſtants might not come as to put them in feare, ſo they ought to haue the ſame reſpect heerein, becauſe more would come to obtaine this grant. His concluſion was, that they would haue compaſſion on their Churches, and holde an eſteeme of the demand of ſo great a Prince, who, out of his deſire of the vnion of the Church, doeth neuer ſpeake of this buſineſſe without teares. In the ende, he ſhewed griefe for the paſſion of many Prelats, who, for a vaine feare of ſeeing a change in their owne Countries, were content with the loſſe of others. In particular he complained of the Biſhop of *Rieti*, who held the Emperour for a Prince ignorant in gouernement, not knowing what was good for his States, which he ſaid his moſt Reuerend Lordſhip, accuſtomed to ſerue at the Cardinalls tables in *Rome*, could not teach him. Finally hee ſayde that many other things did remaine to bee anſwered, which were ſpoken as to challenge him to a *Duell*; but hee thought it better to beare them, and paſſe them ouer with patience. Hee repeated that which hee had ſayd before; that is, that, if the Cup were not graunted, it had beene better that the Councell had neuer beene called: which hee expounded thus, that much people remained in obedience to the Pope, hoping that this *grace* would in the Councell bee graunted vnto them, who would wholly aliene themſelues when they ſaw they were defrauded.

Andreas

Andreas di Cuesta, Bishop of *Lion*, in *Spaine*, saide, that the good intention of the Emperour and Duke of *Bauaria* could not be doubted of, nor disputed whether the Councell might giue such a permission, but that it was onely to bee considered what was expedient. His opinion was that the ancient Fathers, and continuall vse of the Church, neuer to yeeld to the petitions of the *heretikes*, was to be imitated. It appeared by the practise of the Nicen Councell, that, howsoeuer the world went to sie tutuis, they would neuer graunt any thing vnto them, and the Doctours abstained from words vsed by the *heretikes*, though they had a good sence; that they would neuer haue beene pleased with this grant; that the *Catholikes* would take it ill; that for an vncertaine hope of reducing a few *heretikes*, many *Catholikes* would be lost; that because the Bishops of *Germanie* did not make the demand, it was a great argument that it proceeded not from deuotion, comming from a people who giue no signe of any spiritualitie; that he could not vnderstand how they were penitent, and would returne to the Church, beleeuing it was gouerned by the holy Ghost, and yet be obstinate not to doe it without this fauour; that this obstinacie sheweth, that they haue not the formall reason of faith; that if the Councell of *Basil* did formerly graunt this to the *Bohemians*, it was because they did absolutely referre themselues to the Church, which, afterwards, in kindnesse, did graunt it; that it ought not to bee called a true remedie which is not necessarie, by the nature of the thing, but by the malice of men; that the Synode ought not to nourish nor cherish them; that the example of CHRIST, in seeking the wandring sheepe, is sufficiently imitated, when they are called, inuited, and prayed; that if this fauour must bee graunted, it were better to bee done by the Pope, who may reuoke it if the conditions bee not performed; that the Councell granting it, if the Pope would afterwards recall it, they will pretend he cannot doe it, and that his authoritie is not aboue the Councell, that the *heretikes* doe or proceede with faire words and deceits.

1561
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

Antonius Coronicius, Bishop of *Almeria*, saide, that hee was confirmed in the negatiue by the reason vsed by the defenders of the affirmatiue, that howsoeuer God giueth many helpes to the impenitent, as preaching, miracles, and good inspirations, yet hee giueth the Sacraments to the penitent onely; that if they would bee moued with charitie, they should bee more carefull to preserue the *Catholikes* then reduce the *heretikes*; that the Councell of *Constance* ought to bee imitated, which to maintaine the good children of the Church, prohibited the Communion of the Chalice, taught by *Iohn Husse*; that now they ought so to deale with the Lutherans; that this grant would open a gate to infinite mischiefes; that they would demand marriage of Priests, abrogation of images, of fasts, and of other godly constitutions, alwayes proposing their demands as the onely and necessarie remedies to vnite them to the Church; that euery little change of the Law doth breed great dammage, especially if it bee made in fauour of *heretikes*; that hee would not giue counsell that the Pope should doe it, though hee might doe it; that the people would bee lesse offended then if the graunt were made by the Councell, howsoeuer it ought to bee confessed that the supreame authoritie is in the Pope; that in case he should grant it, it ought not to bee omi-

The authorities of the Councell of Basil.

1562 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

mitted to the Bishops though knowen to bee worthy for some time, because they may become bad, and of a peruerse faith, moued by their priuat interests.

Franciscus de Gado, Bishop of *Lugo*, in *Spaine*, made a long exhortation to the Fathers, that, to auoide difficulties, or to giue satisfaction to Prince or people, they would not derogate from the reputation and dignitie of generall Councels, whose authoritie, hauing euer been esteemed in the Church, as euery one knoweth, and that hauing maintained the faith, was not to be contemned now, for respects and interests. Hee alleadged many places of S. *Austin*, for authoritie of generall Councels, and much extolled the authoritie of them; and howsoeuer he neuer descended to compare it with the Popes, yet euery one vnderstood that hee made it the superiour. And *Ierolamus Guerini*, Bishop of *Imola*, vsing the like conceits and words, extolled also the authoritie of Prouinciall Councels, to confirme his opinion of not granting the Cup, and said, that their authoritie ought to be esteemed obligatorie, vntill the contrarie was determined by a generall Councell, alleadging Saint *Austin* for it. In heate of speaking, hee came out with these words, that the generall Councell had no superiour; but perceiuing afterwards that the *Papalins* (of which number himselfe was) were offended, sought to moderate it, by repeating the same things, and adding an exception of the Popes authoritie. By which meanes hee satisfied neither partie; but the greater number did excuse him, and attribute it to inconsideration, because, in the former congregations, he had, vpon diuers occasions, confuted those who alleadged the Councell of *Basil*. Notwithstanding Cardinall *Simoneta*, howsoeuer he imployed him to make such oppositions, did not forbeare to expound it in a bad sence, and to charge him that hee was transported by affection, because the Buls of his Bishoprike were not dispatched vpon free cost, as he would haue had them.

The last congregation concerning this point was held the fift of September: and, amongst others, *Richard* of *Verselli*, a *Preualensian Abbat*, and a Regular Canon in *Genua*, maintaining the negatiue, said, that this matter was disputed many dayes in the Councell of *Basil*, which disputation remaineth still, collected by Friar *Iohn*, of *Ragusi*, Proctor of the *Dominicans*, and, in conclusion, the Cup was absolutely denied to the *Bohemians*: so that no other determination can now bee made, without declaring to the world that the Church did then erre, in a generall Councell. Hee was reprehended by the Bishop of *Imola* (to salue his owne sore) for giuing authoritie to that schismaticall Councell, and noted of great boldenesse, that those who simply alleadged the Councell of *Basill* hauing beene often reprooued, he should not onely citeit, but giue it the authoritie of a generall Councell. The Father replied that hee alwayes marueiled, and then more then euer, how any one could speake so of that Councel, considering that the foureteene Articles decreed in the matter of the Chalice the last Session were wholly taken out of it, and that hee knew not how a Decree could more be approued, then by renewing of it not onely in sence, but in words also. And waxing warme herewith, he said, that, in regard of the Decree of that Councell, the demand of the Cup sauoured of heresie, and mortall sinne. Whereupon a buzzing was raised among the Prelates; and he desiring to proceed was silenced

The authoritie of the Councel of *Basil*.

by

by the Cardinall of *Mantua*, ſo that ſtopping himſelfe hee asked pardon, and ſpeaking a few words, concluded. 1562

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

Not to ſpeake any more of this Father, I will adde heere, that hee was noted to haue been at the French Ambaſſadours houſe, the ſixteenth of Auguſt, early in the morning, to demand whether their Biſhops would come, and to exhort that they might bee ſollicited to come quickly. And in the Congregations, in which the Sacrifice was handled, hee propoſed the doubt whether the authoritie of the Pope bee aboue the Councell; adding, that when it ſhould bee diſcuſſed, hee would ſpeake freely. Theſe things beeing put together, and duely weighed, the Legates did not thinke fit that the French men ſhould finde at their comming ſuch a humour in *Trent*, and thought to make his Generall recall him, for buſineſſe of the Congregation, and ſo to remooue him honeſtly. But there was no neede; for the poore Father fel ſicke a little after with griefe of mind, and the twentie ſixth of Nouember died. In that Congregation Friar *Iohn Baptiſta*, Generall of the *Serui*, maintaining the negatiue alſo, to ouerthrow the ground of the oppoſites, ſpake at large concerning the Councell of *Conſtance*, which firſt decreed that matter, and commended the authoritie thereof; exalting it aboue other generall Councels, and ſaying that it had depoſed three Popes. This did not pleaſe; but was paſſed ouer, becauſe they would not thruſt many matters together.

Richard of Perſoli dieth with griefe.

The Generall of the *Serui* extolleth the Councell of *Conſtance*.

The giuing of voyces beeing ended, the Legates were deſirous to giue the Emperor ſatisfaction, but could not, becauſe the party of the negatiue preuailed: they reſolued therfore to labour that it might be referred to the Pope, hoping that, by perſwaſions, ſome of the negatiue might bee drawen into that middle opinion. And they gaue commiſſion to *Iacobus Lomelinus*, B. of *Mazzara*, and to the Biſhop of *Ventimiglia*, to imploy themſelues herein, with dexteritie and circumſpection. The Legates themſelues ſpake with the three Patriarkes, and perſwaded them; by whoſe meanes all the Prelates and Fathers of the *Venetian* State were pacified; which was a conſiderable number. Hauing gained as many as ſeemed ſufficient, they beleeued they had ouercome the difficulty. They brought the matter to this point, to write a letter to the Pope in the ordinary forme, and to ſend a note of all the voyces. But the Biſhop of *Fiue Churches* did not approue it, except a Decree of the Seſſion did appeare. For theſe two articles hauing been reſerued in the laſt Seſſion, to bee handled in this, and they now beeing handled, and reſolued, it is neceſſary that the reſolution of the Seſſion ſhould appeare in the Actes. *Varmienſe* ſhewed him how hard and dangerous it was to propoſe the Decree, and that hee ought to bee content with the letter, if hee deſired to obtaine. The Biſhop not beeing pacified herewith, they reſolued to make a Decree, to bee read in the Seſſion; in which hee deſired it ſhould bee ſayd; That the Synode, knowing it is expedient to grant the vſe of the Cup, did referre vnto the Pope to grant it, to whom, and vpon what conditions hee pleaſed. The Legates ſhewed him that many who were for the remiſſion, did doubt whether it were expedient, and therefore would oppoſe the Decree, ſo that it was impoſſible to cauſe any ſuch declaration to be made; and that, if he were firme in this opinion, it were better to let a weeke paſſe,

The Cup is denied, by pluralitie of voyces.

1562 Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

that this great heat might bee cooled. The Bishop of *Fiue Churches* was content; and so, this point beeing deferred, they purposed to establish the Decree of the Sacrifice, that this beeing ioyned with it, they might make the proposition for the communion. *Varmiense* did oppose, who, being perswaded by the *Iesuites*, *Laynez*, *Salmeron* and *Torre*, did propose another forme of Decree for the Sacrifice in matter of the oblation of CHRIST in the *Supper*; and they had much adoe to make him desist. Finally, beeing almost out of hope to bee ready to hold the Session at the time appointed, the Decree of the Sacrifice was established in the Congregation of the seuenth day by consent of the maior part, howsoeuer *Granata* laboured to interpose impediments and delayes.

After this, tenne Articles for reformation of the abuses, occurring in the *Masse*, were proposed, and eleuen more in diuers other points of reformation; which were purposely chosen of easie matters, not subiect to contradiction, and fauourable to the authoritie of Bishops, that their proceeding might not bee hindered by the opposition of any; which was well knowen to the Ambassadours and Prelates who complained of it. These began to be handled the ninth of September, and the Prelates deliuered their opinions briefly, fourtie in a Congregation. There was no remarkable opposition; onely *Philadelphia* sayd, that *Germanie* expected that matters of weight and importance should bee handled in Councell. Hee named diuers, and, amongst others, the creation of Cardinals, and pluralitie of Benefices. *Ioannes Zuares*, Bishop of *Conimbria*, sayd, that small matters were not to be neglected, but thought that the dignitie of the Synod did require that some speciall order should bee followed, that it may appeare why these particulars are proposed before others; that the reformation ought to begin from the Head, and passe to the Cardinals; from the Cardinals to the Bishops; and from them to other degrees; otherwise he feared that the Catholikes would bee offended, and the Protestants laugh. *Paris* sayd, that, for these hundred and fiftie yeeres, the world hath demanded a reformation in the Head, and the members, and hitherto hath beene deceiued; that now it was time they should labor in earnest, and not by dissimulation; that he desired the French men should bee heard for the necessities of that Kingdome; that in *France* a farre more profitable reformation was made, then that which was proposed in Councell. The Bishop of *Segouia* said, they did imitate an vnskilfull Physician, who gaue a lenitiue, or anointed with oyle, in mortall diseases. The Bishop of *Oreate* said, that the Pope ought not to grant so great faculty to the *Crusado*, and the *Fabrique* of Saint *Peter*, by vertue of which, euery one in *Spaine* will haue *Masses* in his house, which if it be not moderated, the prouisions of the Councell will bee in vaine; that it was necessary to declare that the Decrees of the generall Councell doe bind the Head also. Whereat a buzzing beeing raised, hee made a signe they should be silent, and added, that he meant in respect of the direction, and not of coaction. Hee proceeded, and said that it was necessary to finde a meanes to take away contentions and suits, or, at the least, to make them fewer and shorter, in causes of Benefices; that this caused great expences, hindered the worship of God, and scandalized the people. The Bishop of *Fiue Churches* spake concerning the

The Councel is taxed by diuers Prelates, for omitting the chiefe points of Reformation.

point

point of conferring Bishopriques, expounding the wordes hee had said, that base and vnworthy persons were promoted, and declaring that the abuse proceeded from Princes, who did importunately recommend them to the Pope, saying they would bee better bestowed vpon the horse keepers of his Holinesse. And hee complained that his words had been ill expounded. 1562

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The Spanish Agent complained in the Kings name, that in the eight Article too much authoritie was giuen to Bishops ouer *Hospitals*, *Mounteines* of pietie, and such places; and particularly in *Sicilia*, against the priuiledge which that Kingdome aunciently hath; for whose satisfaction the Legates caused a clause to bee added for reseruation of the places which are immediately vnder the protection of the King. These things beeing ended, the Legates were in a strait, because there were but three daies to the Session, and many things vnresolued, especially that which was of greatest importance, in which euery one was carried with a strong affection, that is the communion of the Cup. But one accident made them to prolong the time. For the French Ambassadour in *Rome*, hauing earnestly desired the Pope, in the Kings name, to cause a delay vntill the comming of his Prelates, his Holinesse, though nothing could more displease him then the prolonging of the Councel, aswell in regard of his owne inclination, as of the Cardinals and Court, who were in hope, and much desired to see it ended in December, notwithstanding, to conceale his feares, did answere, that it was all one to him, and that it did depend on the Prelates, who if they did abhorre euery delay, it was no maruell, in regard of their long and incommodious abiding there, saying that they ought to be respected, and that hee neither could nor would compell them, or impose a law vpon them, contrary to the ancient vse; that hee would write to the Legates, concerning this instance, and shew he was contented with the dilation, that this is all that can be required of him, and enough to satisfie the King. Thus he wrote, adding that they should make vse of this permission, as it should seeme most reasonable to the Fathers. This letter, and the backwardnesse in their businesse, and that which was written by *Delphinus*, *Nuncio* with the Emperour, and the instance of the Emperours Ambassadours, that the Decree of the *Masse* might not be published, made some of the Legates incline to deferre the Session. But *Simoneta*, who vnderstood the Popes minde, rather as it was in his head, then as it was expressed in the letter, opposed so strongly, that the contrary was resolued. And he sent aduise to *Rome* how dangerous a thing it was to change the absolute commands formerly giuen, to come quickly to the conclusion of the Councel, onely to giue verball satisfaction to others, encouraging those who had bad intentions to crosse good resolutions, and laying burthens vpon them to make them odious, to lose reputation, and to make them vnfit to doe the seruice of his Holinesse. *Simoneta* was fauoured by the euent. For, there being no opposition of moment, the Article of the abuses of the *Masse* was established, together with the eleuenth of reformation, and the Decree of the Communion had lesse difficulty then was beleeued. It did not passe at the first proposing, because it saide, that the Pope, by consent and approbation of the Councel, should doe what he thought good. This was impugned by those who held the negatiue, and

1562
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

the remissiue part; which made the Legats resolue to omit this matter wholly, and excused themselues to the Imperialists, because the fault did not proceed either from the Pope, or from them. The Ambassadours desired that it should be proposed without the clause of consent and approbation; which the Legates thinking would cause a delay of the Session, did refuse. The Ambassadours protested, that seeing so small esteeme was held of the Emperour, they would assist no more either in Congregation or Session, vntill his Maiestie aduised hereof, had giuen those orders that befitted the Imperiall dignity. Hereupon the Legates were content, not onely to propose it againe without the clause, but to vse perswasions themselues also, and to employ others. And the day following, which was the next day before the Session, the Decree, corrected, did passe by the maior part (though contradicted by all of the negatiue) to the great ioy of the Legates and Papalins, aswell because the Session was not prolonged, which they greatly feared, as also because they thought it more honour for the Pope, that the *grace* should totally depend on his authority. The Ambassadors were well satisfied with this particular; but perceiuing that the Session would bee in order, and that the publication of the sacrifice of the *Masse* could not bee hindered, as they had desired in the Emperours name, they ioyned with the French-men, who were mal-content, because the request which their King had made in *Rome* was denied. Therefore the same day, in the afternoone, all the Ambassadours met in the house of the Imperialists, saying they would consult of a thing common to all Princes. The Venetians and Florentine, being called, excused themselues, saying they could not come, without expresse commission from their Masters. In that Assembly, the Bishop of *Fiue Churches* made a long discourse, to shew, that hitherto nothing of worth had beene handled in the Councel; that they had vainely disputed of points of doctrine, which did the heretiques no good, who were resolued not to change their opinion, nor the Catholiques, who are sufficiently perswaded already, that, for reformation, nothing hath beene proposed but things of no moment, of Notaries, Receiuers, and such like; that it did plainely appeare, that the Legats would make the next Session according to the same stile, and afterwards spend the time in disputes, deciding of doctrines, making Canons, of *Order*, *Marriage*, or some other sleight matter, to auoid, as they haue done, the substantiall points of reformation. And, by these and other reasons, well amplified, he perswaded the Ambassadours to ioyne together, and to goe to the Legats, and desire that for that Session they would omit to speak of the sacraments, of doctrines, or canons, because it was now time to thinke vpon a good reformation, to take away so great abuses, to correct bad manners, and to labour that the Councel may not bee vnfruitfull. The Spanish Secretarie would not assent. For his King, desiring that the *continuation* should bee declared in the end of the Councel, feared hee should preiudice himselfe, if the manner of proceeding, which was to handle the doctrine and reformation together, should be changed, because that alteration might be vsed for an argument that it was a new Councel. The Ambassadour of *Portugal*, hauing made a long vnconcluding speech, to shew he desired a reformation, but vpon more pleasing termes, retired from the companie. The Suisse, seeing the

The grant of the Cup is referred to the Pope.

A generall consultation of the Ambassadours.

examples

examples of thoſe two, and that the Venetians were not preſent, fearing to commit an error, ſaid, it were good to conſider of it againe, before they reſolued. All the others were reſolute to goe. 1562

PIVS 4. FERDINAND. ELIZABETH CHARLES 9. PHILIP 2.

Lanſac (by conſent) ſpake for them all; ſaying, They were ſent by their Princes to aſſiſt and fauour the Councel, and to procure that the proceeding ſhould be pertinent, not by diſputing of doctrine, whereof none of them, being *Catholikes*, do doubt, and is ſuperfluous, in abſence of thoſe who doe impugne it, but by making a good, holy, and abſolute reformation of manners. Now, becauſe, notwithſtanding all their remonſtrances, they ſaw they would determine principall points of controuerſed doctrine, and touch the reformation but ſlightly, he prayed them to change their purpoſe, and to employ the next Seſſion in reformation onely, propoſing more important and neceſſary Arguments then thoſe whereof hitherto they had ſpoken. The Legats anſwered in the vſuall forme: That the deſire of the Pope and theirs, was to doe the ſeruice of God, procure the good of the Church, and ſatisfie and gratifie all Princes; but yet that it was not conuenient to breake the order alwaies obſerued in the Councell to handle doctrine and reformation together; that the things already done were but a beginning; that they had a good intention to doe better; that they would moſt readily receiue the Articles which the Ambaſſadours would propoſe; that they marueiled that the Articles determined at *Poiſi* in *France* were not ſent to the Pope, who would haue approued them. *Lanſac* replied, that the Pope hauing referred all matters concerning Religion to the Councel, the French Prelates, when they came, would propoſe both thoſe and many other things. The Legats anſwered they ſhould be welcome, and willingly heard; but that they ought not, for that cauſe, to defer the Seſſion, in regard that nothing ſhould be handled in it in preiudice of their propoſitions; that moſt of the Fathers were reſolued the Seſſion ſhould be held; that it was dangerous to giue them diſtaſt; and that if they expected in *Trent*, with great diſcommoditie, thoſe who liued at their eaſe, & deferred their comming which they promiſed, it was not fit to diſcontent them more, by making them remaine idle. This cunning perſwaſion being not ſtrongly oppoſed by the Ambaſſadors, they held the Congregation, and framed the Decrees; which being eſtabliſhed, when they came to appoint the time and the matter for the next Seſſion, *Granata* counſelled them to prolong the time, that the French-men, and *Polonians* might haue ſpace, not onely to come, but to informe themſelues, and that they would not proceed to a preciſe declaration of that which was to be handled, but ſtand vpon the generall, as formerly they had done, and reſolue according to occurrences. For ſo many perſons being to come, it could not be but that they would bring ſome new matters, which might cauſe new determinations. This opinion was followed by the *Spaniards*, and many others, and was like to haue beene generally approued. But it being noyſed, that the Popes abſolute commandement was come, that the Seſſion ſhould not be deferred aboue two moneths, and that the Sacraments of *Order* and *Marriage* ſhould bee handled together, the Papalins were induced to perſwade that the time might not bee prolonged, and that both thoſe Sacraments might be diſcuſſed. The Legats ſhewed they were forced

Who chooſe *Lanſac* to ſpeak for thē.

The anſwere of the Legats.

to

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

to make the decree in conformitie heereof. But there were two other true causes of it; the one the quicke dispatch of the Councell, because they hoped, by so doing, to finish all in that Session alone; the other, that the *Spaniards* and other fauourers of the reformation, might not haue time, beeing busied in matters of faith, to handle any thing of importance; and particularly that they might be hindred to promote, or insist vpon Residence. After that this point was established, all the Decrees being read together, new contradictions were raised, besides the vsuall contentions, which the Legats could hardly stop with faire words. The Congregation lasted vntill two houres within night, with small satisfaction of the parties, and scandall of honest men. In the end all was resolued; but by the greater part onely, which did not much exceed in number those who contradicted.

The Session.

The seuenteenth of September, the day appointed for the Session, being come, the Legats Ambassadors, and 180. Prelats went to the Church, with the vsuall ceremonies; and after prayers made in time of the *Masse*, the Bishop of *Ventimiglia* preached: who, with an Episcopal and Senatorious grauitie, vsing the comparison betweene ciuill bodies and naturall, shewed how monstrous a Synod would be, if it had no head; he shewed the office of it, in making an influence of vertues into all the members, and the thankfulnesse and dutie of these, in hauing more care of it, then of themselues, exposing themselues also to the defence of it; he said that the chiefe fault of an heretique, according to Saint *Paul*, was, that he doth not acknowledge an head, on which the connexion of the whole bodie doth depend; he added, in few words, that CHRIST was the inuisible head of the Church, but in many, that the Pope was the visible. He commended the exact diligence of his Holinesse, in making prouision for the Synod, and put euery one in mind of his dutie in preseruing the dignitie of his head; hee praised the pietie and modesty of the Fathers; praied GOD that that Councel might proceed, and end as gloriously as it had begun.

The letters of Cardinall *Amulius* concerning the Orientall Christians.

The *Masse* being ended, the letters of Cardinal *Amulius* were read, who, as Protector of the Orientall Christian Nations, informed the Synod that *Abdisu*, Patriarke of *Muzale*, in *Assiria*, beyond *Euphrates*, was come to *Rome*, who had visited the Churches, rendred obedience to the Pope, and receiued the confirmation, and Cope from his Holinesse. He related that the people subiect vnto him had receiued the faith, from the Apostles, *Thomas* and *Thaddeus*, and one of their Disciples called *Marcus*, wholy conformable to the *Roman*, with the same Sacraments and Rites, whereof they had bookes written euer since the time of the Apostles. In the end, he told the largenesse of the Countrey, subiect to that Prelat, which extendeth it selfe vnto the further *India*, with innumerable people, subiect, partly to the *Turke*, partly to the *Sophi* of *Persia*, and to the King of *Portugall*. The letter being read, the Ambassadour of *Portugall* protested, that the Esterne Bishops subiect to his king did not acknowledge any Patriark for their Superior, & said that by acknowledging of this Patriarke, they might not do themselues & the King a preiudice.

Are confuted by the *Portugal* Ambassadour.

Afterwards the *Confession* of his faith, made in *Rome* the 19. of March, was read, in which he swore to maintaine the faith of the holy Church of *Rome*, promising to approue and condemne that which it did

approue

approue and condemne, and to teach the ſame to the *Metropolitans* and Biſhops ſubiect vnto him. Afterwards his letters, directed to the Synod, were read; in which he excuſed his not comming to the Councel, by reaſon of the length of the iourney, and prayed them, that when it was ended, the Decrees therof might be ſent vnto him, which he promiſed hee would cauſe to be fully obſerued. The ſame things had been read in the firſt Congregation, but not regarded. The Portugals proteſtation made men conſider diuers abſurdities in that narration, and there was a whiſpering, and the Portugal Prelates began to ſpeake. But the *Speaker*, by order of the Legats, tolde them, that this ſhould be ſpoken of in Congregation. 1562 Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

And proceeding in the actes of the Councell, the Maſſe-Biſhop read the doctrine of the ſacrifice of the *Maſſe*, diuided into nine heads; which contained in ſumme: 1. That, for the imperfection of the Leuiticall *Prieſthood*, another *Prieſt*, according to the order of *Melchizedec*, was neceſſarie; which was Christ our Lord: who, although he offered himſelfe but once vpon the *Croſſe*, to leaue in the Church a viſible ſacrifice, repreſenting that of the *Croſſe*, and applying the vertue thereof, declaring himſelfe to be a *Prieſt* after the order of *Melchizedec*, offered to God the Father his body and blood, vnder the Bread and Wine, and gaue them to his Apoſtles, commanding them and their ſucceſſours to offer them. And this is that pure offering foretold by *Malachie*, which Saint *Paul* calleth the Table of the Lord, and was figured by diuers ſacrifices, in the time of Nature, and of the Law. 2. Becauſe the ſame Christ is ſacrificed in the *Maſſe* without blood, who was ſacrificed on the *Croſſe* with blood, this ſacrifice is propitiatorie, and God, appeaſed with this offering, beſtoweth the gift of repentance, and remitteth all ſinnes, the offering, and (by the Prieſts) the offerer being the ſame, who formerly offered himſelfe vpon the *Croſſe*, onely in a diuers maner; ſo that this of the *Maſſe* doth not derogate from that of the *Croſſe*, yea, by this, the fruits of that are receiued, which is offered for the ſinnes, puniſhments, and neceſſities of the faithfull, and alſo for the dead, not fully purged. 3. And though ſome *Maſſes* be celebrated in memorie of the Saints, the ſacrifice is not offered to them, but to God only. 4. And, to offer him with reuerence, the Church hath, for many ages, inſtituted the Canon, free from all errour, compoſed out of the words of our Lord, tradition of the Apoſtles, and conſtitutions of Popes. 5. And, for the edification of the faithfull, the Church hath inſtituted certaine *Rites* to pronounce in the Maſſe, ſome things with a low, and ſome with a loude voice, adding benedictions, lights, odours, and veſtments, by Apoſtolicall tradition. 6. And the Synod doeth not condemne, as priuate and vnlawfull, but doth approoue thoſe *Maſſes*, in which the Prieſt doeth communicate alone (which vſe is common) in regard the people doeth communicate ſpiritually, and that they are celebrated by a publique Miniſter, and for all the faithfull. 7. And the Church hath commanded to put water into the wine, becauſe Christ hath done ſo, and from his ſide did iſſue water and blood together, by which the vnion of the people, ſignified by the water, with Christ their head is repreſented. 8. And howſoeuer the people doe not receiue much inſtruction by the *Maſſe*, yet the Fathers haue not thought it fit that it ſhould be celebrated in the

The doctrine of the *Maſſe*.

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

the vulgar. Therefore retaining the vse of the Romane Church, that the people may not be deceiued, the Priests ought to expound something which is read in it, especially vpon holy dayes. 9. And to condemne the errours which are spread against this doctrine, it doeth adde nine Canons.

The Canons of the *Masse*.

1. Anathematizing him that shall say, that a true and proper sacrifice is not offered to God, in the *Masse*. 2. Or that shall say that Christ, by these words, *Doe this in remembrance of me*, hath not instituted Priests, and commanded them to offer. 3. Or shall say, that the *Masse* is a sacrifice onely of praise, or thankesgiuing, or a bare commemoration of the sacrifice of the *Crosse*, and not propitiatorie, and that it doeth helpe onely him that doeth receiue it, and ought not to be offered for the liuing and the dead, for sinnes, punishments, satisfactions, and other necessities. 4. Or shall say that the sacrifice of the *Masse* doth derogate from that of the *Crosse*. 5. Or that it is a deceit to celebrate *Masses* in honour of Saints. 6. Or that errors are contained in the Canon of the *Masse*. 7. Or that the ceremonies, vestments, or externall signes vsed in the *Masse*, are rather incitements to vngodlinesse, then offices of pietie. 8. Or that the *Masses*, in which the Priest alone doeth communicate, are vnlawfull. 9. Or shall condemne the *Rite* of the Church of *Rome*, to speake part of the Canon and the words of consecration with a low voice; or that the *Masse* ought to be celebrated in the vulgar, or that water ought not to be mingled with the Wine.

A decree concerning the abuses of the *Masse*.

The Fathers assented to the Decree, except onely to that particular, that Christ did offer himselfe, which three and twentie Bishops did contradict: and some others said, that, howsoeuer they held it to be true, yet they thought not either the time or place fit to decree it. And there was some confusion in deliuering their voices, because many spake at once. The Archbishop of *Granata* began to dissent, who, hauing contradicted in the Congregations, that he might not haue occasion to doe the same in Session, determined to be absent. But the Legats seeing him not at *Masse*, sent to call him more then once, and constrained him to come; which did more excite him to contradict. Immediatly after another Decree was read for instruction of Bishops, concerning abuses to be corrected in celebration of the *Masses*: And contained in substance; That the Bishops ought to forbid all things brought in by auarice, irreuerence, or superstition. It named particularly, for faults of auarice; bargaines for reward, that which is giuen for new *Masses*, importunate exaction of almes: of irreuerence, the admitting to say *Masse* of vagabond Priests, vnknowen, and publique, and notorious sinners, *Masses* in priuate houses, & euery where else out of the Churches and Oratories, if the assistants be not in an honest habit, the vse of musicke in Churches, mixed with lasciuious songs, all secular actions, profane speeches, noises, and screeches; of superstition, to celebrate out of due houres, with other ceremonies and prayers then those which are allowed by the Church, and receiued by vse, a determinate number of some *Masses*, and of candles. It ordained also that the people should be admonished to goe to their Parish Churches, at the least on Sundayes and great Holy-dayes, declaring that the things aforesaid are proposed to the Prelats, that they may prohibit and correct as Delegats of the Apostolicke Sea, not onely those, but all that are like vnto them.

The

The Decree of reformation contained 11. Heads. 1. That all the Decrees of Popes and Councels, concerning the life and conuerſation of the Clergie, bee obſerued hereafter, vnder the ſame and greater puniſhments, at the pleaſure of the Ordinary, and thoſe reuiued which are antiquated. 2. That none be promoted to a Biſhoprique, but he, who, beſides the qualities required by the holy Canons, hath beene ſixe moneths in holy *Orders*, and if there be not notice of all the neceſſary qualities in Court, information may be taken from the *Nuncij*, from his *Ordinary* or neighbour *Ordinaries*; who ought to be a *Doctour*, *Maſter*, or *Licentiate* in Theologie, or the Canon Law, or declared to be able to reach, by publike teſtimony of an Vniuerſity; and the Regulars ſhall haue the like teſtimonies from the Superiours of their religion; and the proceſſes and teſtifications ſhall be freely giuen. 3. That the Biſhops may conuert the third part of the reuenues of Cathedrall or Collegiate Churches into dayly diſtributions, which notwithſtanding thoſe ſhall not loſe, who, not hauing iuriſdiction or other office, do reſide in their Pariſh Church or Church vnited, beeing out of the City. 4. That none ſhall haue voice in Chapter, but he that is a *Subdeacon*; and he that ſhall hereafter obtaine a benefice to which any charge is annexed, ſhall bee bound to receiue *Orders*, within one yeere, that he may execute it. 5. That commiſſions of diſpenſations out of the Court of *Rome* ſhall be addreſſed to the *Ordinaries*, and thoſe that are for *Grace*, ſhall not take effect, vntill it be knowen by the Biſhops, as Delegates, that they haue beene iuſtly gotten. 6. That commutations of wills be not executed, vntill the Biſhops as Delegats, doe know that they haue beene obtained by expreſſion of the truth. 7. That ſuperiour Iudges, in admitting appeales, and granting inhibitions, ſhall obſerue the conſtitution of *Innocentius* 4. in the Chapter *Romana*. 8. That the Biſhops, as Delegats, ſhall be executors of pious diſpoſitions, as well teſtamentarie, as of the liuing, ſhall viſit Hoſpitals, Colledges, and *fraternities* of Laiques, euen thoſe which are called *Schooles*, or by what other name ſoeuer, except thoſe which are vnder the immediate protection of Kings; ſhall viſite the almes of the *Mountaines* of pietie, and all other places of pietie, though vnder the charge of Lay-men, and ſhall haue the knowledge and execution of whatſoeuer belongeth to the ſeruice of God, ſaluation of ſoules, and ſuſtentation of the poore. 9. That the adminiſtrators of the Fabrique of any Church whatſoeuer, Hoſpitall, Confraternity, almes of any *Mountaine* of pietie, or any other pious place, ſhall bee bound to giue an account euery yeere to the Biſhops, and, in caſe they bee obliged to make an account to others, the Biſhop ſhall bee ioyned with them, without whom they ſhall not haue any diſcharge. 10. That the Biſhops ſhall examine the Notaries, and forbid them the vſe of their office in ſpirituall matters. 11. That whoſoeuer ſhall vſurpe the goods, rights, or emoluments of Churches, Benefices, *Mountaines* of pietie, or other pious places, whether hee bee Clerke, or Laique, King or Emperour, ſhall remaine excommunicate, vntill a full reſtitution or abſolution of the Pope; and, if hee bee Patron, hee ſhall be depriued of the right of Patronage, and the clerke conſenting ſhall be ſubiect to the ſame puniſhment, depriued of all benefices, and vncapable of any more.

1563.
Pius 4. Ferdinand.
Elizabeth. Charles 9. Philip 2.

The Decree of reformation.

After-

1562 Afterwards the Decree for the grant of the Cup was read, of this tenor. That the Synod hauing reserued to it selfe the examination and definition of two Articles, concerning the communion of the Cup, in the former Session, hath now determined to referre the whole busines to the Pope, who, in his singular wisdome, may do what he thinketh profitable for the Christian Common-wealth, and for the good of those who demand it: This Decree, as it was approoued in the Congregations by the maior part only, so it happened in the Session; where, beside those who contradicted, because they thought the Cup could not be granted for any cause, there were some who required that the matter should be deferred, & examined againe. To who the *Speaker* answered, in the name of the Legats, that consideration should be had of it. And finally the next Session was intimated for the twelfth of November, to determine concerning the Sacraments of Order and Matrimonie. And the Synod was dismissed, after the vsuall manner, great discourses betweene the Fathers about the Communion of the Cup continuing still. Concerning which, some perhaps will be curious to know, for what cause the Decree, last recited, was not put after that of the *Masse*, as the matter seemeth to require, but in a place where it hath no connexion or likenesse with the Articles preceding. Hee may know that there was a generall *maxime* in that Councell, that to establish a Decree of reformation a *maior* part of voices was sufficient, but that a Decree of faith could not be made if a considerable part did contradict. Therefore the Legates knowing that hardly more than halfe would consent to this of the Chalice, did resolue to make it an Article of reformation, and to place it the last amongst those, to shew plainely that they held it to bee of that ranke. There were also many discourses at that time, and some dayes after, about the point decided, that CHRIST offered himselfe in the *Supper*, some saying that, in regard of the three and twentie contradictors, it was not lawfully decided, and others answering that an eighth part could not bee called a considerable, or notable part. There were some also who maintained that the *maxime* had place onely in the *Anathematismes*, and in the substance of the doctrine, and not in euery clause which is put in for better expression, as this, which is not mentioned in the Canons.

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The Decree concerning the Cup.

The matter of the next Session.

A *Maxime* in the Councell about the *Maior* part.

The Emperours Ambassadours were very glad for the Decree of the Cup, beeing assured that his Maiestie would more easily obtaine it of the Pope, and vpon more fauourable conditions, then it could haue been obtained in the Councell, where, for the varietie of opinions and interests, it is hard to make many to bee of one minde, thought in a good and necessary matter. The greater part ouercommeth the better, and hee that opposeth hath alwayes the aduantage of him that promoteth. And their hope was the greater, because the Pope seemed before to haue fauoured their Petition. But the Emperour had not the same opinion, ayming not to obtaine the communion of the Cup absolutely, but to pacifie the people of his owne States, and of *Germanie*, who, beeing distasted with the Popes authoritie for the things past, could not relish any thing well that proceeded from him; whereas if they had obtained this grant immediatly from the Councell, it would haue giuen them good satisfaction, and bred an opinion in them, that

they

they might haue obtained other requests which they esteemed; so that this motion beeing stopped, and the infected Ministers cassered, he did hope he might haue held them in the Catholike Communion. Hee saw, by former experience, that the grant of *Paul* was not well receiued, and did more hurt then good; and, for this cause, hee did prosecute the instance no further with the Pope, and declared the cause of it. Therefore when hee receiued newes of the Decree of the Councell, turning to some Prelates who were with him, hee said, I haue done all I can to saue my people, now looke you vnto it, whom it doeth more concerne. 1562

PIVS 4 FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

But those people which desired and expected the fauour, or, as they said, the restitution of that which was due vnto them, were all distasted that their iust request hauing beene treated on sixe moneths, presented by the intercessions of so many, and so great Princes, and after, for better examination, deferred and disputed, and discussed againe with such contention, should, in the end, be referred to the Pope, which might haue beene as well done at the very first, without loosing so much time, so many perswasions, and so great paines. They said the condition of Christians was according to the Prophecie of *Isayas*, *Hee sendeth, and countermandeth, expecteth and reexpecteth.* For the Pope, who was moued first, referred that to the Councel, which now the Councell remitteth to him; and both of them doe mocke both Prince and people. Some discoursed more substantially; that the Synod had reserued the definition of two Articles. Whether the causes which did formerly moue to take away the Cup, are such as that they ought to make them perseuere in the same prohibition; and if not, with what conditions it ought to be granted. The former being vndoubtedly a matter not of fact, but of faith, the Councell did confesse, by a necessarie consequence, that it knew the causes to bee vnsufficient; and would not, for worldly respects, make the declaration. For if they had thought them sufficient, they must needes perseuere in the prohibition; if any doubt had remained they should haue proceeded in the examination, and ought not to remit it, but for the insufficiencie of the causes. But if they had made the declaration negatiue, that is, that the causes were not such as that they ought to perseuere, and referred to the Pope to doe, vpon information, what remained to be done *de facto*, they might haue beene excused. Neither can it bee said that this is presupposed by the reference. For in the Decree of this Session, hauing repeated the two Articles, they resolued to referre the whole businesse to the Pope; and therefore not presupposing any thing.

The censure of the Decrees.

I doe not finde, in the memorials which I haue seene, that the Decree of the sacrifice did raise any matter of discourse. And the cause perhaps was, for that the wordes doe not so easily declare the sence, as containing many strained *Metaphors*, which draw the mindes of the Readers vnto diuers considerations, who, when they are come to the ende, know not what they haue read. Onely concerning the prohibition of the vulgar tongue in the Masse, the Protestants saide something. For it seemed a contradiction, to say, that the *Masse* doeth containe much instruction for the faithfull people, and to approoue that part should bee vttered with a low voice, and wholly to forbid the vulgar tongue, onely commanding the Pastors to declare something to

1562
Pivs 4.
Ferdinand.
Elizabeth
Charles 9.
Philip 2.

the people. Whereunto ſome anſwered well, that, in the *Maſſe* were ſome ſecrets which ought to be concealed from the people, which are vncapable; for which cauſe they are ſpoken ſoftly, and in the Latin tongue, but other things which be of good edification are commanded to be taught. But this was oppoſed two wayes; one, that therefore this ſecond ſort ought to be in the vulgar; the other, becauſe they did not diſtinguiſh the two ſorts. For the *Paſtors* being commanded to declare, often ſomething of that which is read, and conceale the reſt, theſe two kindes being not diſtinguiſhed, ſome of them may miſtake, for want of knowledge, and ſo abuſe the people. The Antiquaries did laugh at theſe diſcourſes; becauſe it is certaine that euery tongue which is now brought into Arte, was formerly vulgar, in its owne Countrey; and that the Latin, vſed in the Church, was many hundred yeeres, both in *Italie* and in diuers *Colonies* of the *Romans*, in diuers Prouinces, the common language. And in the Roman Pontificall there remaineth yet a forme of the ordination of Readers in the Church, in which it is ſaid, that they muſt ſtudie to reade diſtinctly and plainely, that the people may vnderſtand. But he that would know what language is to be vſed in the Church, needeth onely (without any more diſcourſe) reade the 14. Chapter of Saint *Paul*, in the firſt to the Corinthians, which will ſufficiently informe him, though his minde be neuer ſo much prepoſſeſſed with a contrarie opinion. And hee that would know what the meaning of the Church was, and when and why the Court made this alteration, may obſerue, that Pope *Iohn* the eighth, hauing ſeuerely reprehended the *Morauians*, for celebrating the *Maſſe* in the *Slauonian* tongue, and commanded them to doe ſo no more, yet being better informed afterwards, wrote in the yeere eight hundred eightie eight, to *Sfento-Pulero*, their King or Counte, a letter, in which, not by way of grant, but of declaration, he affirmeth that it is not contrarie to faith and ſound doctrine to ſay *Maſſe*, and other prayers in the *Slauonian* tongue, becauſe hee that hath made the *Hebrew language*, *Greeke*, and *Latin*, hath made the others alſo for his glory, alleadging diuers paſſages of the Scripture, and, in particular, the admonition of S. *Paul* to the Corinthians. Only he commanded that, for a greater *decorum* in the Church, the *Goſpel* ſhould firſt be read in *Latin*, and afterwards in the *Slauonian* tongue, as the vſe alreadie was in ſome places. Notwithſtanding he gaue leaue to the Count, and his Iudges, to heare the *Latin Maſſe* if it pleaſed them better. To theſe things wee muſt adde that which *Gregorie* the ſeuenth wrote to *Vratiſlaus*, of *Bohemia*, iuſt 200. yeeres after, that hee could not permit the celebration of diuine *Offices* in the *Slauonian* tongue, and that it was not a good excuſe, to alleadge, that it was not formerly prohibited. For the *Primitiue* Church hath diſſembled many things, which afterwards, Chriſtianitie being eſtabliſhed, vpon exact examination, haue beene corrected. And hee commaunded that Prince to oppoſe the people herein with all his forces. Which things he that ſhall obſerue plainely, ſhall ſee which were the ancient incorrupt inſtitutions, and how corruptions began, for worldly reſpects and intereſts. For when men began to place heauen below the earth, good inſtitutions were publiſhed to be corruptions, only tolerated by antiquitie, and abuſes, brought in afterwards, were canonized for perfect corrections.

But

But, to returne to the Decrees of the Councell, that of the reformation displeased many; considering, that in times past the Ecclesiasticall goods belonged to the whole Church, that is, to all the Christians of one Congregation; the administration wherof was committed to the *Deacons*, *Archdeacons*, and other dispensers, with the superintendency of the *Bishops* and *Priests*, to distribute them for the maintenance of Ministers, widowes, sicke and other poore persons, for education of children, in hospitalitie, ransoming of prisoners, and other workes of pietie. Notwithstanding, the Clergie, though vnfitly, yet tolerably, began to desire to separate, and to know their part, and to vse it as they pleased. But afterward the abuses came to the height. For the people was wholly excluded from all right in the goods, and the Ecclesiastiques, being but *administrators* before, declared themselues to be Lords of them, conuerting that to their owne vse, which was destinated for the poore, for hospitalitie, schooles, and other workes of pietie; whereof the world hauing a long time complained, and demanded a remedie in vaine, some *Laiques* haue, in some places, piously erected other Hospitals, and Schooles, &c. and appointed Administrators of the Laitie. Now the world, in this age, demanding a remedie more earnestly, that Hospitals, and Schooles &c. vsurped by *Priests*, may bee restored, the Councel, in stead of granting a demand so iust, and restoring Hospitals, Colledges, Schooles, and other places of pietie, as was expected, hath opened a way, in the eighth and ninth Articles, to vsurpe those also which haue been instituted since, by ordaining the superintendencie of *Bishops*; which no man can doubt, but that as it hath bin a meanes formerly to diuert goods destinated for good works, and to appropriate them to vses not pious, so it will, in a very short time, produce the same effect againe. The parliaments of *France* spake much of this particular, and said plainely, the Synod had exceeded their authoritie, medling with the goods of Seculars, it beeing cleere, that the title of a pious worke giueth no right to a Priest, that euery Christian may applie his goods to what good worke hee pleaseth, without giuing the Clergie power to make lawes therein, otherwise the *Laitie* would bee in extreame seruitude, if they might doe no good but what pleased the *Priests*. Some condemned also the Article, by which power is obliquely giuen to change Wills and Testaments, by prescribing how and when they may bee changed; it being plaine, that Testaments haue their strength from the Ciuill lawe, by which onely they may bee changed. And if any say that their strength is from the lawe of nature, the authoritie of *Priests* will bee excluded the more; because where that law is dispensable, none can dispense but hee that holdeth the highest place in the Common-wealth, or his ministers. But the Ministers of CHRIST must remember that Saint *Paul* doth allow them onely the administration of the Ministeries of God. And if any Common-wealth hath giuen, at any time, to their Prelates any iurisdiction concerning Willes, they are, in this, not spirituall iudges, but temporall, and ought to receiue lawes herein, not from Councels, but from that Maiestie which gouerneth the Republique, and doe proceede herein, not as Ministers of CHRIST, but as members of the Common-wealth, as they are called by diuers names, and assist in publike gouernements. But the fifth Article, in matter of dispensations, was

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

1562 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

no leſſe noted. For it is plaine, that, in ancient times, euery diſpenſation was adminiſtred by the *Paſtors* in their ſeuerall Churches, and that afterwards in ſucceſſe the Popes reſerued to themſelues the moſt principall things; which one might ſay was done, that the moſt important matters might not bee managed by vnſufficient perſons, howſoeuer the reaſon formerly alleadged to the contrary by the Biſhop of *Fiue Churches* ſeemeth very ſtrong. But now the Councell decreeing that diſpenſations ſhall be committed to the *Ordinaries*, to whom they ſhould belong, if reſeruations did ceaſe, one may demaund to what end power is taken from any perſon, to bee giuen to the ſame againe? It is plaine that, by reſeruing diſpenſations, nothing was meant in *Rome*, but onely that their Bulls might be vttered; becauſe this beeing done, they thinke it better the worke ſhould be executed by him that ſhould haue done it, if hee had not been forbid, then by any other. Diuers other oppoſitions were made, by thoſe who more willingly cenſure the actions of others, when they proceede from eminent perſons; which becauſe they bee of no great moment, are not worthy of an hiſtorie.

The Pope beeing aduiſed of the holding of the Seſſion, and of that which happened in it, was very glad, as deliuered from the feare hee apprehended, that, in the contention about the Cup, his authority would bee drawen into diſputation; and becauſe this way of compoſing differences, by referring them vnto him, was opened, hee hoped the like might bee done in the Article of reſidence, or in any other that ſhould bee controuerſed: by which meanes the Councell would be ended quickly. But he foreſaw two cauſes which might croſſe his diſſeigne; one, the comming of the Card. of *Lorraine* with the French Biſhops, which did much trouble him, eſpecially in regard of the vaſt thoughts of that Prelat, much contrary to the affairs of the Papacie, ſo incorporated in him, that he was not able to conceale them; for which hee ſaw no remedie, but by making the *Italians* ſo farre exceede the *Vltramontans*, that in their voyces they ſhould not paſſe for a conſiderable number. Therefore he continually ſollicited all the Biſhops, whether titular, or others who had renounced, to goe to *Trent*, offering to beare their charges, and loading them with promiſes. Hee thought alſo to ſend a number of Abbats, as had been done in ſome Councels. But beeing aduiſed better, hee thought it fit not to ſhew ſo much affection, nor to prouoke others to doe the like. Hee feared another croſſe in regard of the purpoſes which hee had diſcouered in all Princes to hold the Councell open with doing of nothing; in the Emperor, to gratifie the Dutchmen, and to gaine their fauour in the election of his ſonne to bee King of the Romans; in the French King, to worke his will with the ſame men, and with the *Hugonots*. He conſidered much of the congregation of the Ambaſſadours, which ſeemed to be a Councell of Seculars in the middeſt of that of the Biſhop; thinking that the Congregations of the Prelates would bee dangerous, without the preſence and preſidence of the Legates to keepe them in order; and therefore, that the Ambaſſadours much more, might handle things preiudiciall; and that there was danger if they continued, that they might bring in ſome Prelate, in regard there were Eccleſiaſtiques amongſt them, and ſo vſe licence, vnder the name of liberty. In this perplexity he conceiued hope, becauſe he

The Pope plotteth to make a *maior* part in the Councel.

ſaw

saw the greater part of the Ambassadours oppose the propositions, and that none were combined but onely the Ambassadours of the Emperour, and of the French King, who hauing no Prelats could preuaile but little. Notwithstanding hee thought fit to solicite the conclusion of the Councell, and to cherish the diuision, which he saw amongst the Ambassadours. Therefore he wrot immediately that they should hold Congregations often, and digest, and put in order the matters quickly. And because to giue one thankes, doth oblige him to persеuere, he commanded that the Ambassadors of *Portugall*, & of the Suisses, and the Secretary of the Marquisse of *Pescara*, should be commended, and hartily thanked, on his part, for refusing to consent with others to an impertinent proposition. Hee caused thankes to be giuen to the Venetians, and Florentine, for the good intention they shewed in denying to come to the Congregation, praying them not to refuse to come hereafter if they were called, because he knew their presence would euer be seruiceable to the Apostolique Sea, and hinder the bad desseignes of others. Neither was his Holinesse deceiued in his opinion. For it made them all say, that they had done so, because in those times, the seruice of God did require that the Popes authority should be defended, resoluing to persеuere in that resolution. And they professed they were more obliged by the courteous thankes of his Holinesse, for doing that, to which their duty did bind them.

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

1562
PIVS 4.
FERDINAND.
ELIZABETH
CHARLES 9.
PHILIP 2.

THE SEVENTH BOOKE OF THE HISTORY OF THE COVNCELL OF TRENT.

THE cuſtome of thoſe who write Hiſtories is, to propoſe, in the beginning, a model of what they meane to handle. Which I haue thought fit to deferre vntill this place, making it an abſtract of that which is related alreadie, and a diſſeigne of that which is to follow. Hauing reſolued to giue to the memorials, which I had collected, ſome forme, which might not exceed my power, and yet beſt befit the matter, I conſidered, that, of all the negotiations which haue hapned amongſt Chriſtians in this world, or perhaps will happen hereafter, this is the moſt principall, and that moſt men are deſirous to know whatſoeuer doth belong to that which they do eſteeme, euen the leaſt things of all. Therefore I thought firſt that the forme of a Diarie would beſt agree to this ſubiect. But two oppoſitions did croſſe mine opinion. One, that that forme could not befit the occurrences of twenty nine yeares, ſpent in making preparation for the birth of this Councell, nor of the foureteene yeares which paſſed while it ſlept; it not beeing knowen whether it were aliue or dead. Another, that all the matter which a continuate Diarie doth require, could not poſſibly be found. Therefore, fitting the forme to the matter, as nature doth, not the matter to the forme, as the ſchools, I thought it not abſurd to write the preparatorie and interconciliarie times by way of *Annals*, and in thoſe of the celebration to make a *Diarie* of the occurrences of thoſe daies, the knowledge whereof I was able to attaine; hoping that whoſoeuer ſhall reade this Treatiſe, will excuſe the omiſſion of thoſe which could not be knowen. For if of things, the intire memorie of which thoſe who haue intereſt doe labour by all meanes to preſerue, often times a great part is quickly loſt, how much more will it happen in this, which many men,

The forme of this Hiſtory.

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

men, of great place, and exact iudgement, haue vſed all diligence, and ſpared no paines wholy to conceale. It is true that matters of great weight ought to bee held in a myſtery, when it is for the common good; but when it doth damnifie one, and profit another, it is no maruaile if men who haue contrary ends, doe proceed in contrary courſes. The common and famous ſaying of the Lawyers is true, that his cauſe is more to be fauoured who laboureth to auoid loſſe, then his who ſeeketh gaine. For theſe cauſes this Treatiſe of mine is ſubiect to ſome diſequalitie of Narration; and howbeit I might ſay, that as much might bee found in ſome famous Writer, yet this ſhall not bee my defence; but this, that if others haue auoided it, they haue not written the Hiſtorie of the Councell of *Trent*, nor any other like vnto it.

The petition of the French Ambaſſadors.

The Ambaſſadours of *France*, ſo ſoone as the Seſſion was ended, receiued letters from their King, that they ſhould make inſtance for the deferring of it. Wherefore though the time was paſt, they came to the Legats, and told them they had a new commiſſion from the King to make requeſt, that they would labour in the reformation, and, for points of doctrine, expect the comming of his Prelates; adding that, if the matter of *Order* and *Matrimony* were diſputed by the Diuines, and handled by the Prelates, no more points of doctrine would remaine, and the comming of the French-men would be to no purpoſe. Wherefore their requeſt was, that they would be pleaſed to deferre them vntill the end of October, imploying themſelues, in the meane ſpace, in the matter of reformation, or one day in that, and another, in matter of doctrine; not deferring, as they had done, all the matter of reformation vntill the laſt daies immediatly before the Seſſion, ſo that there ſcarce remained time ſo much as to ſee the Articles, much leſſe to conſult vpon them.

To which the Legats anſwere.

The Legates anſwered, that their propoſitions did deſire to be weighed wel, and that they would be carefull to giue them all poſſible ſatisfaction; demanding a copie of their inſtructions, that they might reſolue the better. The Ambaſſadours gaue them a writing, of this tenor. That the King hauing ſeene the decrees of the ſixteenth of Iuly, concerning the Communion *Sub vtraq.* and deferring of two Articles in the ſame matter, and thoſe propoſed in the Congregations concerning the ſacrifice of the *Maſſe*, howſoeuer hee commendeth that which is done, yet he cannot conceale that which is generally ſpoken, that is, that the matter of diſcipline and manners is either quite omitted, or ſlenderly handled, and the controuerſed points in religion, in which all the Fathers do agree, haſtily determined. Which although hee thinketh to be falſe, yet hee deſireth that the propoſitions of his Ambaſſadours may be expounded, as neceſſarie, to prouide for the good of Chriſtendome, and the calamities of his kingdome. And hauing found, by experience, that neither ſeueritie nor moderation hath beene able to reduce thoſe who are ſeparated from the Church, hee thought fit to haue recourſe to the generall Councell, which hee hath obtained of the Pope; that he was ſorie that the tumults of *France* did hinder the comming of his Prelats; that hee ſaw well that the conſtancie and rigor, in continuing the forme begun by the Legats and Biſhops, was not fit to reconcile peace, and make an vnitie in the Church; that his deſire was, that nothing might bee done to aliene the

minds

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

mindes of the aduersaries, now in the beginning of the Councell, but that they may be inuited, and, in case they come, receiued as children with all humanitie, hoping that, by this meanes, they will suffer themselues to be taught, and brought backe to the bosome of the Church. And because all that are in *Trent* doe professe the same religion, and neither can nor will make doubt of any part thereof, he thinketh the disputation and censure in points of religion to be not onely superfluous, but impertinent for the Catholiques, and a cause to separate the aduersaries the more. For he that thinketh they will receiue the Decrees of the Councell in which they haue not assisted, doeth not know them well; neither will any thing be done by this meanes, but arguments ministred of writing more bookes. Therefore the King thinketh it better to omit the matter of Religion, vntill the other of Reformation be well set in order: and that this is the scope at which euery one must aime, that the Councell, which now is great, and will be greater by the comming of the Frenchmen, may produce fruit. Afterwards the King demandeth, that in regard of the absence of his Bishops, the next Session may be put off vntill the end of October, or the publication of the Decrees deferred, or a new order expected from the Pope, to whom hee hath written, labouring in the meane while in the matter of Reformation. And because he vnderstandeth that the ancient libertie of Councels is not obserued, that Kings and Princes, or their Ambassadours may declare the necessities of their States, his Maiestie demandeth that their authoritie may be preserued, and all reuoked which hath beene done to the contrary.

The same day the Emperours Embassadours came to the Legats, requiring that the Articles sent by his Maiestie, and presented by them, might be proposed, and were very earnest that the points of doctrine might be deferred vntill the comming of the Frenchmen; and, that the reformation may be seruiceable not onely for the whole Church, but for the Church of euery particular Kingdome, their desire was that two of euery Nation might be deputed, to put them in minde of that which did deserue to be proposed, and discussed in Councel. The Legats made a common answere to them both, that they could not alter, without great preiudice, the order set down, which was to handle Doctrine and Reformation both together, and, if they should, that other Princes would oppose; but, to content them, they would ordaine that the Diuines and Prelats should examine the matter of Order onely, and afterwards handle some points of Reformation, obseruing still the former vse, that euery one, of what condition soeuer, may put them, the Legats, in minde, of what they thinke necessary, profitable, or conuenient; which is a greater libertie then to haue two deputed for euery nation: and afterwards they would treat of *Matrimonie*. The Ambassadours being not one iote contented, the Legats sent all their demands to the Pope. The petition of the Emperors Ambassadours.

The Frenchmen complained to all men of this austeritie, and for that the Pope had lately commanded other Prelats to goe to the Councell, that hee might exceed in number: which the Papalins themselues did not like should be done so openly, and iust when the newes was spread of the comming of the French-men; desiring to be secured by a *maior* part, yet so, as not to haue it knowen for what cause it was done. But the Pope did of set purpose proceede

1562 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

ceede so openly, that the Cardinall of *Loraine* might know that his attempts would be in vaine, and so resolue not to come, or that the Frenchmen might take some occasion to make the Councell dissolue. Neither was the Pope onely of this opinion, but all the Court, fearing some great preiudice by the Cardinals desseignes; which howsoeuer they might not succeede (a thing which they could scarce hope for) yet his comming onely would hinder, prolong, and disturbe the Councell. *Ferrara* tolde *Loraine*, his kinseman, that his iourney would be of no moment, and of small reputation to himselfe, in regard hee would arriue after all was determined; and *Biancheto*, a familiar friend of the Cardinall of *Armignac*, who also had credit with *Loraine*, wrote as much to them both; and the Secretarie of *Seripando*, who had familiaritie with the President *Ferrier*, tolde him the same; all which was thought to be done by commission from the Pope, or to please him, at the least.

The articles of the Sacrament of *Order*.

But their care of the actions of the Councell was not intermitted for all this. For the articles, concerning the Sacrament of *Order*, were presently giuen foorth, to be disputed by the Diuines, the disputants elected, and distinguished into foure rankes, each of them being to discusse two. For they were eight. 1. Whether *Order* be truely and properly a Sacrament, instituted by Christ, or an humane inuention, or *Rite*, to elect Ministers of the word of God, and of the Sacraments? 2. Whether *Order* be one Sacrament onely, and all others bee meanes and degrees vnto *Priesthood*? 3. Whether there be an *Hierarchie* in the Catholique Church, consisting of *Bishops*, *Priests*, and other *Orders*, or whether all Christians be *Priests*, or whether the vocation or consent of the people or secular Magistrate be necessary, or whether a *Priest* may become a Laicke? 4. Whether there be a visible and externall *Priesthood* in the new Testament, and a power to consecrate and offer the body and blood of Christ, and to remit sinnes, or onely the bare Ministery to preach the *Gospel*, so that those who preach not are not *Priests*? 5. Whether the holy Ghost is giuen and receiued in ordination, and a *Character* imprinted? 6. Whether *Vnction*, and other ceremonies, be necessary in conferring *Order*, or superfluous, or pernicious? 7. Whether Bishops be superiour to *Priests*, and haue peculiar power to confirme and ordaine, and whether those who are brought in by any other meanes then Canonicall ordination, are true Ministers of the Word and Sacraments? 8. Whether the Bishops, called & ordained by the Pope, be lawful, and whether those be true Bishops who come in by any other way then Canonicall institution? The 23. of the moneth the congregations of the Diuines began, and were holde twice a day, and ended the second of October. I will, according to mine vse, relate those opinions onely which are remarkeable, either for singularitie or contrarietie amongst themselues.

Are disputed in the Congregations.

In the first congregation foure Diuines of the Pope spake; who did all agree in prouing that *Order* was a Sacrament, by places of Scripture, especially by that of *S. Paul*, 1. *The things which come from God, are ordained*; then by the tradition of the Apostles, sayings of the Fathers, vniforme consent of Diuines, and, aboue all, by the Councell of *Florence*, adding also this reason, that the Church would be a confusion if there were not gouernment and obedience.

dience. But Friar *Peter Soto* was copious, in ſhewing that there were ſeuen *Orders*, and each properly a Sacrament, and all inſtituted by CHRIST; ſaying it was neceſſary to make a declaration herein, becauſe ſome Canoniſts, paſſing the limits of their profeſsion, haue added two more, the firſt tonſure, and the Biſhopricke; which opinion may cauſe many other errors of greater importance. Hee likewiſe ſhewed at large, that CHRIST had, when hee was on earth, exerciſed all theſe *Orders*, one after another; all whoſe life as it was addreſſed to the laſt of theſe Sacraments, ſo it is plaine, that all the others ſerue onely as a ladder, to climbe vp to the higheſt, which is the *Prieſthood*. 1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

But *Ierolamus Brauus*, a Dominican Friar, hauing proteſted that hee conſtantly held that there were ſeuen *Orders*, and each of them a Sacrament, and that the vſe of the Church ought to be obſerued, to proceed from the inferiour to the ſuperiour, and ſo to the *Prieſthood*, he added, that he was not of opinion that ſo particular a declaratiõ ought to be made, in regard of the difference betweene the Diuines, amongſt which one can hardly find two of the ſame mind. For which cauſe *Caietan*, in his old age, wrote, that he that collecteth the things taught by the Doctors, and in the ancient and moderne Pontificals, will ſee a great confuſion in all other *Orders* but *Prieſthood*. The Maſter of the *Sentences* maintained, that *Sub deaconſhip* and inferiour *Orders* were inſtituted by the Church, and the Scripture ſeemed to haue inſtituted the *Deaconſhip*, as a miniſtery of Tables, and not as one of the Altar. The difference concerning inferior *Orders* in the old Pontificals, where that which is in one is not in another, doth ſhew they are Sacramentall, and not Sacraments. And reaſon doth lead vs hereunto. For the actions which one ordained doth, may be done by one not ordained, and are of the ſame validitie, effect, and perfection. Saint *Bonauenture* alſo, though he thinketh that all ſeuen are Sacraments, yet he holdeth two other opinions to be probable; one, that onely *Prieſthood* is a Sacrament, and the inferiors, being imployed about corporall things, as to open doores, reade Leſſons, light Tapers, and the like, doe not ſeeme to expreſſe any celeſtiall matter, and are therefore onely diſpoſitions to *Prieſthood*. The ſecond, that the three holy *Orders* are Sacraments; and, concerning the common ſaying, that the inferior are degrees to the Superior, Saint *Thomas* affirmeth, that in the Primitiue Church many were ordained *Prieſts* immediatly, without paſſing by the inferiour *Orders*, and that the Church did ordaine that this paſſage ſhould be made for humiliation onely. It appeareth plainely, in the Actes of the *Apoſtles*, that Saint *Matthias* was immediatly ordained an *Apoſtle*, and the ſeuen Deacons did not paſſe by the *Subdeaconſhip*, and the inferiour *Orders*. *Paulinus* ſaith of himſelfe, that, hauing a purpoſe to apply himſelfe to the ſeruice of GOD in the Clergie, he would, for humiliation, paſſe by all Eccleſiaſticall degrees, beginning from the *Oſtiarie*: but while he was thinking to begin, being yet a Laicke, the multitude tooke him by force in *Barcelona* on Chriſtmas day, caried him before the Biſhop, and cauſed him to be ordained *Prieſt*, at the firſt; which would not haue beene done if it had not beene the vſe in thoſe times. Therefore this *Brauus* concluded, that the Synod ought not to paſſe beyond thoſe things which are agreed on by the Catholiques, and that it was better

to

1562
Pius 4.
Ferdinand
Elizabeth.
Charles 9.
Philip 2.

to begin with the *Order* of *Priesthood*, which would make a connexion betweene this Session and the last, which handled the Sacrifice, and to passe from *Priesthood* to *Order* in generall, not descending to any particularitie.

The Congregation being ended, and most of the Prelates departed, *Fiue Churches*, with his *Hungarians*, and some *Polonians* and *Spaniards*, tarried behinde, to whom he made a speech, and said, that the Emperour, being freed from all suspition of warre, by the truce concluded with the Turke, tooke nothing so much to the heart as the reformation of the Church; which would surely be effected, if some of the Prelates in the Counсel would assist. Therefore he exhorted and prayed them, for Gods sake, and for the charitie which euery Christian oweth to the Church, that they would not abandon so honest, iust, and profitable a cause, that euery one would put downe in writing what he thought might be constituted for the seruice of God, without any respect of man, not reforming one part, but the whole body of the Church, both in the Head, and in the members. *Granata* did second him, shewing the necessity and opportunity thereof, thanking the Bishop of *Fiue Churches* for his admonition, and saide, they would consult amongst themselues. For this cause the Spaniards, being assembled together, discoursed of the necessitie of reformation, and the hope thereof, in regard of the Emperours inclination, from which their King also, who was most piously addicted, would not dissent, and the French Prelats, who would shortly be there, would vndoubtedly promote and assist the worke, in earnest. They repeated diuers abuses, and shewed that the fountaine of them all was the Court of *Rome*, which is not onely corrupt in it selfe, but the cause of deformation in all Churches; and particularly the vsurpation of Episcopall authority, by reseruations, which if it were not restored, and the Court deprived of that which they haue taken from Bishops, it would bee impossible the abuses should bee redressed. *Granata* considered, that, it being necessary to lay a good foundation for so noble a Fabrique, a way was open for them now that they were to speake of the Sacrament of *Order*, if it bee determined that the authoritie of Bishops is instituted by Christ; because it will follow, by consequence, that it can not bee diminished; by which meanes that will bee restored to the Bishops, which hauing been giuen them by Christ, hath, by the Ambition of others, and their owne negligence, been vsurped from them. *Braganza* added, that it was so much the more necessary, because the Episcopall authority was brought to nothing, and an *Order* erected superiour to Bishops, vnknowen to the Church in former ages, that is, the Cardinals, who at the first, were esteemed in the number of Priests, and Deacons, and, after the tenth age began to exalt themselues aboue their degree. Notwithstanding they were still accounted inferiour to Bishops vntill the yeere 1200. since which time they haue so farre aduanced themselues, that they hold Bishops as seruants in their houses, and it will bee impossible to reforme the Church, vntill both of them bee reduced to their due places.

The Bishop of *fiue Churches* maketh a speech concerning reformation.

And is seconded by the Spaniards.

These propositions and discourses were heard with applause, so that they resolued to elect six of them, to put in writing the things necessary and fit, as well for the reformation in generall, as particularly for this point of the

of institu-

institution of Bishops, whence they purposed to begin. *Granata*, *Iasper Ornante*, Archbishop of *Messina*, the Bishop of *Segouia*, and *Martin di Cardona* Bishop of *Tortosa* were named; the last of which was cause why the project did not proceede. For, hauing secret intelligence with the Papalins, hee excused himselfe, alleadging his owne insufficiencie, and the vnfitnesse of the time, adding that *Fiue Churches* was not mooued with pietie, and had no other ende then to make vse of them, to constraine the Pope, by meanes of the reformation, to grant the vse of the Cup, wherein they had beene auerse. And seeing they were disposed to heare him, hee preuailed so much with them that they passed no further for the present, but interposed a delay. Notwithstanding it was not long deferred. For *Granata*, *Braganza*, *Messina*, and *Segouia*, hauing obtained audience of the Legates, desired that they might handle the Articles proposed heretofore by Cardinall *Crescentius* in this same Councell, and concluded, though not published, that is, that the Bishops are instituted by CHRIST, and are superiour to *Priestes iure diuino*. The Legates, after they had conferred together, answered, that the *Lutherans* hauing affirmed that a Bishop and a Priest is the same thing, it was fit to declare that a Bishop is superiour, but that it was not necessarie to say *quoiure*, nor by whom a Bishop is instituted, because there is no controuersie of it. *Granata* replied that there was a controuersie, and that if the Diuines did dispute it, the necessitie of deciding this point would be knowne. The Legats would not consent by any meanes; and, after some few sharpe wordes on both sides, the Spaniards departed without hauing obtained any thing; yet resolued still to perswade some of the Diuines to bring this particular into the discussions, and to make mention of it when they were to giue voices in congregation. But the Papalins, vnderstanding heereof, did cause it to bee voiced amongst the Diuines, that the Legates did forbid all speach of that question.

1562

PIVS 4.
FERDINAND.

ELIZABETH.
CHARLES 9.
PHILIP 2.

The Legats will not suffer the institution of Bishops to be disputed.

But to returne to the congregation, when the second ranke spake, consisting of Diuines and Canonists, *Thomas Pasius*, a Canon of *Valentia*, said, that all doubt made of the Ecclesiasticall *Hierarchie*, did proceede from grosse ignorance of antiquitie, it being a thing most knowne that in the Church the people hath alwayes beene gouerned by the Clergie, and, in the Clergie, the inferiours by the superiours, vntill all be reduced vnto one vniuersall *Rector*, which is the Pope of *Rome*. And hauing declared the proposition at large, he added that there was no neede to doe any thing herein, but to make this truth appeare, by remouing the contrarie errors, which haue been brought in by the Schoolemen, who sometimes, by too much subtilitie, doe make plaine things obscure, opposing the Canonists, who place the first *tonsure*, and the Bishoprike in the number of *Orders*. Of the later he saide, it seemed strange to him, how they could confesse, that confirmation, ordination, and so many other consecrations doe so peculiarly belong vnto it, that they can not possibly bee done by any else, and yet denie it to bee an *Order*, when as they giue that name to the keeping of the dore, which may as well be done by a Lay-man. For the first *tonsure*, he hath euer heard the Diuines say, that a Sacrament is an externall signe which signifieth a spirituall grace, and that the *tonsure* is the signe, and the thing signified is the deputation to the seruice

1562 of God, and therefore he wondred why they would not haue it to be a Sacrament; and the rather, because one entreth into the Clergie by it, and doth participate of Ecclesiasticall exemptions; so that, if it were not instituted by CHRIST, it could not be said, that either Clergiship, or the exemption therof were *de iure Diuino*; that it was plaine that the *Hierarchie* consisteth in the Ecclesiasticall *Orders*, which is nothing but an holy order of superiors and inferiors, which can neuer be well established without making, as the Canonists doe, the *tonsure* the lowest, and the *Bishoplike* the highest; which being done, the *Hierarchie* is all established, because the first and last being given the choice of the middle will necessarily follow, which cannot subsist without the former.

PIVS 4. FERDINAND.

ELIZABETH. CHARLES 9. PHILIP 2.

Of Ecclesiasticall Hierarchie.

Concerning the other part of the Article, they said, it was very plaine by the Canons, that in the choice of Bishops and deputation of Priests, and Deacons, the people of al sorts was present, & gaue voice or approbation, but this was by the Popes tacit or expresse consent; because no Lay-man can haue authoritie in matters Ecclesiasticall, but by priuiledge from him. And this was granted in those times, because the common people, and *Grandies* also, were deuout, and did, by this meanes, entertaine themselues in spirituall things, and shewed more obedience and reuerence to the Clergie, by being more ready to inrich it with oblations and donations, which hath made the holy Church to be in that state in which it now is. But since deuotion did ceale, the seculars haue aimed only at the vsurpation of the Church goods, and to place their adherents in the Cleargie. And now the new *heretikes* haue made a deuilish inuention, saying, that was due to the people which was granted by fauor which is one of the most pestiferous heresies which hath euer bin set on foot, because it doth destroy the Church, without which faith cannot stand. He alleaged many reasons and congruities, to shew that the ordination ought to be in the power only of the Ordainer, which he confirmed by the Popes *Decretals*, and concluded in the end, that not only the Article was to be condemned as hereticall, but that, the voice and consent of the people in ordinations being taken away, for iust and necessary reasons, the Pontifical also ought to be corrected, and those places removed which make mention therof, because, so long as they continue there, the heretikes wil make vse of them, to proue that the assistance of the people is necessary. He said the places were many, but to recite one, in the ordination of Priests, the Bishop ordaining saith, that it hath bene constituted by the Fathers, not without cause, that the people should haue voice in the ordination of the Rectors of the altar, that they may be obedient to him whom they haue ordained, in regard of their consenting to his ordination. If this, and other rites shall remaine, the heretikes will alwayes detract from the Catholike Church, saying that the ordinations now are but shadowes and leaues, as *Luther* did wickedly say.

Francis Fabrier, a Dominican of *Portugal*, said the *Hierarchie* of the Catholike Church could not be doubted of, it being proued by Apostolicall tradition, by testimonie of all antiquitie, and by the continuall vse of the Church. And howsoeuer the word be not vsed by all, yet the thing signified hath euer bene in practise. *Dionysius Areopagita* hath made a proper treatise of it, and the *Nicen* Councel hath approued it, and called it an ancient custome: and that which hath bene called ancient in the beginning of

the fourth age, must needes haue its originall from the time of the Apostles. Onely hee thought it not fit to handle this point ioyntly with the Sacrament of *Order*, howsoeuer many of the Schoole-men doe handle it in that place, putting the *Hierarchie* in the superiour and inferiour *Orders*; a thing which cannot subsist, it being certaine that the Pope is the highest Hierarke, and that the Cardinals doe follow, and then the Patriarkes, Primats, Arch-bishops, Bishops, Arch-Priests, Arch-Deacons, and other inferiour degrees vnder the Pope, as Head. And to omit the disputation whether the Bishoprike be an *Order*, it is certaine that the Arch-bishoprike, Patriarkeship, and Papacie are not *Orders*, and doe signifie only superioritie and iurisdiction ouer Bishops. Therefore the *Hierarchie* consisteth in iurisdiction, and the Councell of *Nice* placeth it in that, when it speaketh of the Bishop of *Rome*, *Alexandria*, and *Antioch*. Therefore the handling of *Hierarchie* must not be ioyned with that of *Order*, for feare of giuing way to calumnie. 1562 Pius 4. Ferdinand. Elizabeth Charles 9. Philip 2.

There was much varietie in the discussion of these Articles, those of the second ranke returning to the former, and some disputing that the degree of a Bishop was an *Order*, and others, that aboue Priesthood, there was nothing but iurisdiction; some alleadging Saint *Thomas*, and some Saint *Bonauenture*, and some being of a middle opinion, that is, that it is an eminent dignitie, or office in the *Order*. The famous saying of Saint *Hierom*, and the authority of Saint *Austin* were alleadged, who say that the degree of a Bishop hath been most ancient, but yet an Ecclesiasticall constitution. *Michael* of *Medina* did oppose, and say, that the Catholique Church, as Saint *Epiphanius* saith, did condemne *Aerius* of heresie, for saying that the Degree of a Bishop is no greater then that of a *Priest*; into which heresie it is no wonder if *Hierom*, *Austin*, and some other of the Fathers did fall, because the matter was not cleere in all points. This boldnesse, to say that *Hierom* and *Austin* did sauour of heresie, gaue great scandal; but hee insisted the more vpon it, and maintained his position. And the Doctors were equally diuided into two opinions in this point.

Others placed this *Hierarchie* in *Orders* onely, alleadging *Dionysius*, who in naming the Hierarkes, maketh mention of none but of Deacons, Priests, and Bishops. Some followed *Farrier*, that it did consist in *iurisdiction*. At the last a third opinion came foorth, that it was a mixture of both, which afterwards was more generally approoued. For placing it in *Order*, it did not appeare how Archbishops, Patriarkes, and, which is of more importance, the Pope himselfe could enter, all being of accord that these Degrees are not *Orders* aboue the Degree of a Bishop. Yet some did alleadge the common saying to the contrary, that the Episcopall *Order* is diuided into foure parts, Bishops, Archbishops, Patriarkes, and the Pope: and placing it in iurisdiction, none of the holy *Orders* did enter.

There was a great disputation amongst them about the forme of the *Hierarchie*; some saying it was charitie, some faith informed, and others, according to Cardinall *Turrecremata*, vnitie. To this last was opposed that vnitie is a genericall qualitie in all that is one, and is an effect of the forme which doth produce it. Those who were for charity brought very many places of the Fathers, which doe attribute the vnitie of the Church vnto it. The forme of the *Hierarchy*.

1562 But others said that it was the heresie of *Wiglef*. For, if it were so, a Prelate, loosing charity, would bee out of the *Hierarchie*, and lose authority. Notwithstanding they did not auoide the difficultie, by making faith informed to bee the forme, because a Prelate might externally counterfeit, and bee secretly vnfaithfull, who not being of the *Hierarchie*, the Christian people could not knowe whom to obey, because they might doubt of all, and sometimes had cause to doe it. And as the Diuines, especially the Friars are free in exemplifications, they alleadged the Pope, saying, that, in case hee should bee incredulous, the whole *Hierarchie* would perish by his default, whether one did make faith or charitie to bee the forme. And therefore they said, *Baptisme* was. But the same difficulties did arise, in regard of the incertaintie thereof, because the intention of the Minister, according to the determination of the Councell, is essentially required, which is more secret then the other two: for which cause it can not bee certainely affirmed of any that hee is baptized.

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The Articles, whether there bee a visible *Priesthood*? or whether all Christians bee *Priests*? or whether a Priest may become a Layman? or whether his office bee preaching? were not handled with any discussion, but with declamations against the Lutherans, who deprive the Church of commerce with God, and of the meanes to appease him, making it a confusion without gouernement, and bereauing her of all her beautie and comelines. Friar *Adamantius*, of *Florence*, a Diuine of this ranke, belonging to Cardinall *Madruccio*, said, that the greatest part of those who had spoken, had alleadged onely probable reasons, and conueniences, which, when Articles of faith are discussed, doe not onely not force the aduersaries, but confirme them more in their opinions; and, for proofe hereof, hee brought a direct place of Saint *Austin*. Hee added that discussions in Councell should differ from disputations in Schooles. For in those how much the more things are minced, and curiously handled, the better it is; but it doth not become a Councell to examine any thing, but that which may bee cleered and made plaine. Notwithstanding many questions were disputed, the knowledge whereof cannot in this life (in which God doth not suffer all to bee discouered) possibly bee attained. For this Article, it is abundantly sufficient that the Church hath an *Hierarchie*, that the *Hierarchie* consisteth of Prelats and Ministers, that these are ordained by Bishops, that *Order* is a Sacrament, and that Seculars haue no part herein. *Petrus Ramirius*, a Franciscan Friar, following the doctrine of *Iohn Scot*, said that *Order* ought not bee called a Sacrament, because it is inuisible and permanent, whereas all the Sacraments are necessarily visible, and (except the *Eucharist*) consist in action. Therefore to auoide all difficulties, one must not say that *Order*, but that ordination is a Sacrament. But he was much opposed, because all the Diuines, and (which is of no lesse importance) the Councell of *Florence* also doe call *Order* a Sacrament. And it would bee a great boldnesse to taxe all the Doctours, a generall Councell, and the whole Church for speaking improperly.

Of the holy Ghost giuen in Ordination.

In the third ranke, there was no lesse variety of opinions concerning the fifth Article. For howsoeuer all agreed that the holy Ghost is giuen and re-

ceiued

ceiued in ordination, yet some said, he was giuen in his proper person, and others, in the gift of grace onely. They disputed much on both sides, but those especially who affirmed grace. Another question was, whether grace of iustification bee conferred, or onely a gift to exercise the office. For the former was alleadged, that all the sacraments giue grace of iustification; for the later, that a man cannot without repentance receiue grace, and yet may receiue *Order*. For the *Character*, as they all agreed that it is imprinted in *Priesthood*, so they dissented in all the rest. For some said it was imprinted in the holy *Orders* onely, and others in all the seuen; both which opinions, S. *Bonauenture* doth think to bee probable. Some were better pleased with the distinction of *Durandus*, that vnderstanding, by *Character*, a power to worke a spirituall effect, the *Priesthood* onely hath it, which onely can consecrate, and remit sinnes; and the others haue it not, in regard their actions are corporall, which a lay-man, without any the least veniall sinne, may doe as well as they. But if by *Character* be vnderstood a deputation to a speciall office, so all the *Orders* haue a proper *Character*. Others opposed, that it was a Lutherane opinion, contained in the first Article, and said, that therefore it was necessary to affirme a proper and indeleble *Character* in all. And some said it was in the first *tonsure* also, because it is not reiterated in those who are degraded, as would bee necessary if a *Character* were not imprinted; and because, by it, one is inuested in the Clergie, and made partaker of Ecclesiasticall exemptions, and immunities. Neither would it be possible to maintaine that *Clerkeship*, and the immunity thereof were *de iure diuino*, but by saying, that the first *tonsure* is a diuine institution. Concerning the degree of Bishops the controuersie was greater, and the question was reuiued whether it be one of the *Orders*. For hauing two proper actions so famous, to confirme, and ordaine, a spirituall power is necessary to it, which is a *Character*, without which ordination and confirmation would bee to no purpose. The auditours were weary with hearing so many difficulties, and did willingly giue eare to those who saide they ought to omit them, and speake onely in generall termes. But the Friars grumbled, and were angry to see in them a disposition to define Articles, and pronounce *Anathemaes*, not vnderstanding the points, and abhorring those who would informe them.

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.
Of the *Character*.

In the sixt Article they al condemned the Lutherans, for detracting from vnctions, and ceremonies vsed in conferring *Orders*. Some desired that those which are necessary, and belong to the substance of the Sacrament (as was done in the Councell of *Florence*) might bee distinguished from the rest, and him declared to be an hereticke, who should say that *Order* might be giuen or receiued without them; and for the others, that he should bee condemned, in generall termes, who did call them pernicious. Hereupon a great contention arose which were necessary, and which were added for ornament, or deuotion. *Melchior Cornelius*, a *Portugal*, seemed to speake much to the purpose; who said, the Apostles did vndoubtedly vse imposition of hands in ordination, so that none is mentioned in the holy Scripture without that ceremonie; which, in succeeding ages, was thought to be so essentiall, that ordination was called by that name. Notwithstanding, *Gre-*

What ceremonies be necessary in conferring *Orders*.

1562 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

gorie the ninth saith, it was a rite brought in, and many Diuines do not hold it to be necessary, howsoeuer others be of the contrary opinion. It appeareth also by the *Decretal* of *Innocentius* the third in this point, that vnction was not vsed in all Churches. And the famous Canonists, *Hostiensis*, *Iohannes Andreas*, *Abbas*, and others doe affirme, that the Pope may ordaine a Priest with these words onely, Be thou a *Priest*; and (which is of more importance) *Innocentius*, Father of all the Canonists, saith; that if the formes had not been inuented, it had beene sufficient if the Ordainer had vsed these words onely, Be thou a Priest, or others equiualent, because they were instituted by the Church afterwards to be obserued. For these reasons *Cornelius* gaue counsell not to speake of necessary Ceremonies, but onely to condemne those who hold them to be superfluous, or pernicious.

Although the Congregations of the Diuines did take vp almost all the time, yet the Prelates did more intend, and discourse amongst themselues of reformation, some promoting, and some declining it, then of the points of doctrine discussed by the Theologues; so that the frequent and publique speeches which were heard throughout all *Trent*, cherished by the Ambassadours of the Emperour, and French King, induced the Legates to thinke it necessary to make shew they were not auerse from it; especially because they had promised to propose it so soone as the matter of *Order* was discussed, and vnderstood, that a discourse of the Ambassadour *Lansac* was receiued with great applause, made in an Assembly of many Ambassadours and Prelates, in which he concluded that if the reformation, proposed and demanded by the Emperour, was so feared and abhorred, yet, at the least, a way ought to bee found out without making new constitutions, to cause those things which haue beene established in ancient Councels to bee obserued, by remooving the impediments which doe nourish the abuses. The Legats caused the propositions of the Imperialists, and all the instances made vnto them in matter of reformation vntill that day, and their owne answeres to be put together, and an abstract to bee made of the Constitutions of the Assembly in *France*, and of the demands of the *Spanish* Prelats: all which they sent to the Pope, and told him it was impossible to entertaine them any more with words, and that it was necessary to shew the world by some effect, that they haue a purpose to handle this matter, and to giue satisfaction in some sort to the Ambassadours of Princes, especially in that which they desire for the interest of their Countries; yet with such circumspection as that they may not preiudice the Papall authoritie, or prerogatiues of the Church of *Rome*.

The Legates are much troubled with the speeches that passed concerning Reformation.

And send to the Pope.

The Pope seeing the instruction of the French King, which did import the prolonging of the Councel, was much displeased. For he had conceiued hope, that all which did remaine to be discussed, might be defined in the next Session of the 12. of Nouember, or if not, yet that the Councel would bee concluded, suspended, or dissolued in the end of the yeere, at the latest. He therefore answered the French Ambassadour residing with him (who desired the points of doctrine might bee deferred vntill the comming of their Prelats, and the matter of reformation handled in the meane time) that he was informed that the Cardinall of *Loraine* meant to tarie vntill the surprise

of

of *Burges*, & to attend the King to *Orlience*, so that his departure out of *France* would be very late, and perhaps neuer, and that it was not iust to entertaine so many Prelats in *Trent*, vpon disseignes so remote; that the demaunds for delay were not made, because the French-men desired to goe to the Councell, but to put himselfe and the Prelats to more charges, protesting, that, if his money were consumed by this meanes, he should not be able to continue in assisting the King. He made it a great matter, that their Prelats had beene expected eighteene moneths, and himselfe lead along with diuers friuolous excuses. He complained of his condition, that if the Councell vseth any respect towards him, which it doth but seldome, the Ambassadours, there present, say it is not free, and yet themselues to desire him to ordaine a dilation, which is a thing more vniust, and more abhorred by the Fathers then any other. His conclusion was, that when hee had assurance or likelihood of their comming, he would endeuour that they should be expected, saying he had giuen order to be aduertised, by an expresse Currier, of the Cardinals departure, that he might presently employ himselfe in the businesse, and, in the meane while, he thought it not iust that the Fathers should be idle. He said the matter of reformation was more fit to be deferred then this of doctrine, which doth not concerne him, as being a good Catholique, who will vndoubtedly not dissent from others. But in matter of reformation it is fit to heare him, because it doth concerne him, as being a second Pope, hauing many benefices, and a reuenue of three hundred thousand Crownes of Church liuings, whereas himselfe hath but one benefice, wherewith he is content; that notwithstanding he had reformed himselfe, and all parts of the Court, to the hindrance and losse of many of his officers, and would do more but that hee saw plainely, that, by diminishing his reuenues, and by weakning the forces and the sinewes of his State; hee encourageth the aduersaries, and exposeth all Catholikes, who are vnder his protection, to the iniuries of his enemies. And, for the Countries which are not subiect to him in temporall matters, he said the ouerthrow of discipline did arise from themselues, and from the Kings and Princes, who, with vnfit and importunate requests, doe force him to make extraordinary prouisions, and graunt vnusuall dispensations; that his condition was miserable, who if he did deny vnfit requests made vnto him, euery one complained of the iniury, if he graunted them, all the inconuenience ensuing was ascribed vnto him, and men began to speake of reformation, as the Kings Ambassadours had done in *Trent*, in such generall termes, that it cannot bee vnderstood what they meane. He said, let them come to particulars, and say what they would haue reformed in the kingdome, and they shall haue satisfaction in foure daies; that the Prelats in *Poisi*, haue made many constitutions, which he will confirme when he shall be requested: but to stand vpon vniuersalities onely, and to find fault with all that is done, without proposing any thing, sheweth they beare no good affection.

1562.
PIVS 4.
FERDINAND.
ELIZABETH
CHARLES 9.
PHILIP 2.

The fourth ranke of Theologues remained, who were to handle the superioritie of Bishops aboue *Priests*. Those who spake first followed the doctrine of Saint *Thomas* and *Bonauenture*, who say a *Priest* hath two powers, one to consecrate the bodie and blood of CHRIST, and the other to remit sins;

The superiority of Bishops aboue Priests.

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

ſins; in the former whereof a *Prieſt* is equal, in regard a Biſhop hath not greater authoritie then a ſimple *Prieſt*, but inferior in the latter, becauſe not the power onely of *Order*, but of iuriſdiction alſo is required. Others added, that it was a more excellent action to giue authoritie to conſecrate, then to conſecrate, and therefore that the Biſhop was ſuperior in this alſo, who cannot onely do it himſelfe, but ordaine *Prieſts*, and giue them authoritie. But this being diſputed ſufficiently, they returned to handle the Articles of the *Hierarchie*, as being the ſame with this point of ſuperioritie; and the queſtion being whether it doth conſiſt in *Order*, iuriſdiction, or in both, *Antonius* of *Mont-Alcino*, a *Franciſcan*, ſaid it ought not to be vnderſtood of an imaginarie ſuperiority, conſiſting in preheminence, or perfection of action, but in ſuperioritie of gouernment, ſo that it may make lawes, giue commaunds, and iudge cauſes, as well in the Court of Conſcience, as in the external; which ſuperioritie is to be diſcuſſed, becauſe it is denied by the Lutherans. He ſaid there muſt bee an authoritie in the Church to gouerne it, the vnitie whereof could not otherwiſe be preſerued. He prooued it by the example of Bees, and Cranes; ſaying, that in euery particular Church a ſpeciall authority was neceſſary to gouerne it; which was in the Biſhops, who haue part of the charge, the totalitie whereof is in the Pope as *Head* of the Church; which containing authoritie to iudge, and to make Proceſſes and Lawes, it muſt needes be a power of iuriſdiction. Concerning *Order*, he ſaid a Biſhop was of an higher degree then a *Prieſt*, hauing all the power of him, and two powers more; yet notwithſtanding cannot be called his ſuperiour; as a *Subdeacon* is foure degrees higher then a doore-keeper, yet not ſuperiour vnto him. He prooued this his opinion by the generall vſe of the whole Church, and all Chriſtian Nations, and alleadged diuers authorities out of the Fathers. Finally, he came to the holy Scripture, citing many places of the Prophets, to ſhew that this authoritie is called the authoritie of a *Paſtor*, ſaying, that the vniuerſalitie of it was giuen to S. *Peter*, when CHRIST ſaid, *Feede my Lambes*, and ſome of it imparted by *Peter* to the Biſhops, when he bad them, *Feed the flocke which they haue in their cuſtodie*. And this opinion had great applauſe.

But before thoſe of this fourth ranke made an end of ſpeaking, the Spaniſh Prelats reſoluing the point ſhould be handled whether Biſhops are inſtituted by CHRIST, after they had conſulted together, did conclude, that it was better the firſt motion ſhould begin in the Congregations of the Diuines, that themſelues might with more ſhew of reaſon, reſuming the things ſpoken before, diſcourſe vpon them, and compell others to doe the like. Therefore, in the Congregation of the firſt of October, *Michael Oroncuſpe* a Diuine of the Biſhop of *Pampelona*, ſaid to the ſeuenth, that being to qualifie or condemne a propoſition which hath many ſignifications, it was neceſſary to diſtinguiſh them, and afterwards to examine them one by one: and he thought the propoſition, whether Biſhops be ſuperior to Prieſts, to be ſuch. For one muſt diſtinguiſh whether they be ſuperiours *de facto*, or *de iure*. That they are ſuperiours *de facto* it cannot be doubted, becauſe preſent experience, & the Hiſtories of many ages do ſhew, that Biſhops haue exerciſed ſuperioritie, and *Prieſts* obedience. Therefore this article being without queſtion, the other, *de iure*, remaineth to be diſcuſſed. Wherein there is another ambiguitie

biguitie also, whether *iure Pontificio*, or *Diuino*. In the first sence the case is cleere, that they are superiours, there being so many *Decretals* which say it expressely: which howsoeuer it be true and certaine, yet the Lutherans are not in this regard to be condemned for heretiques, because that cannot be an article of faith which is grounded only vpon the law of man, and deserue to be condemned for denying the superioritie of Bishops, onely in case it be *iure diuino*. He added that he thought this point very cleere, and that he could euidently proue it, and resolue any thing alleadged to the contrary, saying he must not proceed further, being prohibited to speake of it. And here he shewed that the ministerie of Confirmation and Ordination is proper to Bishops. And hauing spoken vpon the eight Article, in conformitie of the others, he ended his discourse.

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

Iohannes Fonseca, a Diuine of the Archbishop of *Granata*, followed; who entred bravely vpon the matter, saying, in neither was, nor could be forbidden to speake of it. For the Article being proposed to be discussed, whether it be hereticall or no, it is necessary to vnderstand whether it be against faith; against which it cannot be, if it be not repugne to the Law of GOD. He said hee knew not whence the report came, that one might not speake of it, because, by the very proposition of the Article, it was commanded to be discussed. And here he proceeded to handle, not the superioritie alone, but the institution also, affirming that Bishops are instituted by CHRIST, and by his diuine ordination, superiours to Priests. Hee said, that if the Pope be instituted by CHRIST, because he hath said to *Peter*, *I will giue thee the keyes of the kingdome*, and, *Feede my Lambes*; Bishops are likewise instituted by him, because he hath said to all the Apostles, That which you binde on earth shall be bound in heauen, and whose sinnes you remit they are remitted, saying to them afterwards, Goe into the whole world, and preach the Gospel. And (which is more) he said vnto them, As my Father hath sent me, so I send you. And if the Pope be successor of S. *Peter*, the Bishops are successours of the Apostles, alleadging many authorities out of the Fathers, that the Bishops are successours of the *Apostles*. And, in particular, he recited a long discourse of S. Bernard in this point to *Eugenius* the Pope, and a place of the Acts of the *Apostles*, where S. Paul saith to the Ephesians, that they were *made Bishops by the holy Ghost to gouerne the Church of* GOD. He added, that to be confirmed or created by the Pope, did not conclude that they were not instituted by CHRIST, or had not authoritie from him. For the Pope himselfe is created by the Cardinals, and yet hath his authoritie from CHRIST: and Priests are created by the Bishop, who doeth ordaine them, but receiue their authoritie from GOD: so the Bishops receiue the Diocesse from the Pope, and authoritie from CHRIST. Their superioritie ouer *Priests* he proued to be *iure diuino*, by authoritie of many Fathers, who say that Bishops doe succeed the *Apostles*, and *Priests* the seuentie two disciples. Concerning other particulars of this point, he said the same things which others had spoken before. Cardinall *Simoneta* was impatient, and turned often to his colleagues, and was in hand to interrupt the discourse: but being entred into vpon so good reason, and heard by the Prelates with such attention, hee knew not how to resolue.

The institution of Bishops is discussed.

Which vexeth Cardinall *Simoneta*.

After

1562 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

After him followed *Antonius Grossetus*, a Dominican Friar, who, hauing briefly passed ouer the other articles, insisted vpon this. He stood much vpon the wordes of Saint *Paul*, spoken to the *Ephesians* in *Miletum*, exhorting them to haue a care of the flocke; ouer which the holy Ghost had made them ouerseers: vpon which place he made many obseruations. He sayd it was first necessary to declare that Bishops haue not commission for their office from men; for so they would be hirelings, to whom the lambes doe not belong, because the man, who had committed the care vnto them, being satisfied, they had no more to thinke on. But Saint *Paul* sheweth that the commission to gouerne the people of God is diuine, giuen by the holy Ghost, to conclude that they could not be excused by any dispensation of man. He alleadged the famous passage of Saint *Cyprian*, that euery Bishop is bound to giue an account to Christ onely. Then he added that the Bishops of *Ephesus* were not of those who were instituted by Christ our Lord, while he was in the flesh, but by Saint *Paul* or some other Apostle, or disciple; yet no mention is made of the ordainer, but all is attributed to the holy Ghost, who hath not giuen authoritie to gouerne, but diuided a part of the flocke, and consigned it to be fed. And here he made an inuectiue against those, who a few dayes before, sayd, that the Pope doeth distribute the flocke, inculcating that it was not well spoken, and that it would bring againe into vse that which Saint *Paul* did detest; *I am of Paul, and I am of Apollo.* He said the Pope was the ministeriall Head of the Church, by whom Christ, the principall *Head* doeth worke, vnto whom also the worke ought to be ascribed, saying, according to Saint *Paul*, that the holy Ghost doth giue the flocke to be gouerned. For the worke is neuer ascribed to the instrument or minister, but to the principall Agent; that this forme of speech hath alwayes beene vsed by the Ancients, that God and Christ doe prouide the Church of gouernors; that Saint *Paul* wrote to the *Ephesians*, that Christ, ascending to heauen, hath furnished the Church with *Apostles*, *Euangelists*, *Pastours*, and *Masters*, shewing plainely that hee did prouide *Pastours* after hee was ascended into heauen, and that the institution of *Pastours* and *Masters*, in which number Bishops are, ought as much to be ascribed vnto Christ, as vnto the *Apostles* and *Euangelists* themselues. The Theologue perceiued that he displeased the Legats, and some more besides; and, fearing some bad incounter, as had happened vpon other occasions, hee added that hee had spoken without premeditation, being caried along by consequence of wordes, and heat of discourse, not remembring that that point was forbidden to be spoken of. And entring againe to examine the proper Offices of Bishops, and contradicting the Lutherans, who holde them for superfluous, shewing they haue beene very ancient in the Church, and come from Apostolicall tradition, he concluded. The Legats did perceiue that this was the arte of *Granata*, and the other *Spaniards*, to giue the Prelats a field to enlarge themselues in this matter. Therefore they tooke order that the contrary opinion should be defended by some of the foure Prelates, who onely remained to speake the next day; and the Popes Prelats, vsed to this arte, were prepared to contradict the *Spanish* Bishops, if they had begun to speake of this matter in the Concregations.

Antonius Grossetus excuseth himselfe.

The

The next day, the second of October, two Diuines were about to proue, that as the superiority of Bishops was certaine, so it was hard to be decided *quo iure*, and in case it were, would be of no fruit; and therefore was to be omitted. Two others maintained, that it was *de iure Pontificio*. And Friar *Simon*, a Florentine, and a Diuine of *Stripaldi*, distoured, according to the opinion of *Caietanus* and *Catharinus*, in this forme; that Bishops are instituted by CHRIST, to gouerne the Church; that his Maiesty did create Bishops all the *Apostles*, when he said, I send you, as I haue beene sent by the Father; that this institution was personall, and ended with them; that one of them was constituted, to remaine perpetually in the Church, which was *Peter*, when he said, not to him alone, but to all his successors, *Feed my lambes*; that Saint *Austin* did meane so when hee said, that *Peter* did represent the whole Church, which was neuer spoken of any of the other Apostles; that Saint *Cyprian* said that Saint *Peter* is not onely a Type and figure of the vnitie, but that the vnitie doeth begin from him. In this power, giuen onely to *Peter*, and his successors, the care of gouerning the Church is contained, and of ordaining other *Rectors* and *Pastors*, not as Delegates, but as Ordinaries, dividing particular Prouinces, Cities, and Churches. Therefore when it is demanded, whether any Bishop be *de iure diuino*, one must answere affirmatiuely, One onely, the successour of *Peter*. Besides, the degree of a Bishop is *de iure diuino*, so that the Pope cannot take order that there may be no Bishops in the Church, but euery particular Bishop is *De iure Pontificio*. Whence it commeth that he may create and translate them, diminish or enlarge their Dioces, giue them more or lesse authority, suspend them also and deprive them; which he cannot do in that which is *de iure diuino*. For from a Priest, he cannot take away authoritie to consecrate, because he hath it from CHRIST, but may take iurisdiction from a Bishop, because he hath it from himselfe. And thus the famous saying of *Cyprian* must bee expounded; there is but one Bishoprieke, and euery Bishop holdeth a part thereof *in solidum*; otherwise, it cannot bee defended that the gouernment of the Church, is the most perfect of all, that is Monarchicall, and must necessarily fall into an *Haligarchie*, which is the most imperfect, and condemned by all those who write of gouernment. Hee concluded, that *quo iure*, Bishops are instituted, by the same they are superiour to Priests, and that, when this matter is to bee discussed, the declaration is to bee made thus. He alleadged Saint *Thomas*, who saith, in many places, that euery spirituall power dependeth on that of the Pope, and that euery Bishop ought to say, I haue receiued part of that fulnesse. He said that the old schoolmen were not to be regarded, because none of them had handled this matter, but the Moderns, hauing, after that the heresie of the *Waldenses* arose, studied the Scripture and the Fathers, haue established this truth. The last Diuine laboured to contradict him, in that he said the *Apostles* were ordained Bishops, saying, when he sent them, as himself was sent by the Father, that he sent them to preach, and to baptize, which belongeth not to a Bishop, but to a Priest, and that onely *Peter* was ordained a Bishop by CHRIST, who, after the ascension, ordained the other Apostles Bishops. Concerning the other parts of this Article, and the next, they all agreed to condemne them.

And

1562.
PIVS IIII.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP II.

1562 Pivs 4. Ferdinand Elizabeth. Charles 9. Philip 2.

And so the Congregations of the Theologues were concluded.

The Legates demand of the Pope by letters what they shall doe concerning y reformation.

After which the Legates, beeing obliged to propose the reformation, considering with themselues what particulars might be proposed not preiudiciall, and yet might giue satisfaction, were much troubled. For that which would be gratefull to the Ambassadours, would damnifie the Court, and distast the Bishops, neither could they meddle with any thing that would please the Bishops, which would not bee preiudiciall to *Rome*, or the Princes. Their resolution was to dispatch a Currier to the Pope, and expect an answere, and, in the meane time, to draw the businesse in length, by making the Prelats speake in the matter of *Order*. In particular, they gaue his Holinesse an account of the contention which they did foresee, concerning the Article of the superiority of Bishops, in regard of the petition made by the Spanish Prelates, and the entrance made by their Diuines. And howsoeuer they knew not their ende, yet, obseruing how earnest their request was, and knowing how the Spaniards doe vsually aime at things farre off, they could not choose but suspect. They put him in minde that this was the time in which they promised to speake of residence; whereof some motion was made already. For the Arch-bishop of *Messina*, demanded of those of *Cipres*, and *Zara*, what their opinion would bee, in case it were proposed, and many practises were discouered, though they were not able to penetrate the ground of them. That they gaue order to *Otranto*, and *Ventimiglia*, to learne cunningly of what opinion the Prelates would bee in case they proposed to referre it to his Holinesse; who, hauing sounded them exactly, found that 60. would bee rigidly opposite, of whom there was but small hope that they could possibly bee perswaded. For howsoeuer the Secretarie of the Marquisse had, at their instance, dealt effectually with the *Spaniards*, yet he brought from them no more then this, that they would not oppose with bitternesse, but deliuer their opinions quietly, and without clamour. That they knew the maior part were of the contrarie opinion, because they depend on *Rome*; but they ought to disburthen their conscience. That they were assured that this was not contrary to his Holinesse, of whose religious and godly disposition they could not doubt, but vnto the Bishops onely who are about him. They added, that the *Spaniards*, hauing discouered that there was a purpose to remit the businesse to his Holinesse, saide the same was done in the matter of the Chalice, and that it was in vaine to holde a Councell to handle that which was of no importance, and to referre that which deserueth prouision. They aduised him of the promise made to the Ambassadors, to propose the reformation, and of the impossibilitie to deferre it any longer; and being aduertised of the comming of *Loraine*, and the French-men, and vnderstanding that they were full of conceits, and designes of nouitie, they concluded that they would vndoubtedly ioyne with the malcontents of *Trent*. Therefore not knowing, in these ambiguities, what course to take, they told him they had resolued to expect the commandements of his Holinesse.

With whose aduertisements, and others his Holinesse is much troubled.

The Pope being aduised, at the same time, from other places, of the projects of *Loraine*, and particularly, that hee would reforme the election of the Popedome, that the *Vltramontans* might also bee partakers of it, is pierced deepely

deepely into his minde. Therefore reſoluing not to expect the blow, but to preuent, hee informed all the Italian Princes heereof, ſhewing them what a diſhonour it would bee to the nation, if it ſhould ſucceede; that he ſpake not for himſelfe, whom it did not concerne, but for publique reſpects, and for the loue of his Countrey. And knowing that a Spaniſh Pope could not bee acceptable to the King of *Spaine*, in regard of the naturall propenſion that Cleargie hath, to free themſelues from the exactions of the King, and that a French-man would haue pleaſed him leſſe becauſe of the enmitie betweene the nations, and that the greateſt part of his truſtie friends were in *Italie*, hee wrote vnto his *Nuncio*, to communicate vnto him the deſigne of the French men, to make a Pope of their nation, that, by his meanes, they may poſſeſſe *Naples* and *Milan*, to which they pretend right. And, not to bee wanting on his part, that hee might remooue ſome of the foundations, on which the Cardinall might build, which were the abuſes of the times paſt, lately reuiued, hee made a Bull in this matter; which howſoeuer it contained only the prouiſions formerly made by diuers Popes, which were antiquated, yet it might bee ſaide there was no neede of more reformation in that behalfe, becauſe the Bull did remedie all the inconueniences which happened, or, at the leaſt, tooke all ſtrength from them, ſo that it could not bee pretended they were in force. And to him that would prognoſticate that it would not be obſerued, as others made before, it might bee anſwered, that hee who doth euill doth thinke ill, and that it is the dutie of Chriſtian charitie to expect good from euery one. The Bull was dated the ninth of October 1562. Afterwards newes came, that many congregations were held in *Spaine*, to make a general reformation, and to giue commiſſion to the Ambaſſador, who was to goe to *Trent*, to make the Spaniſh Prelats ioyne, and aime all at one marke. The newes that the King would ſend another Ambaſſador did pleaſe neither the Pope nor the Legats. For the Marqueſſe of *Peſcara* did much conforme himſelfe to the Popes wil, and the miniſters he vſed were of *Milan*, much addicted to the perſon of his Holines and his kinred, & to Card. *Simoneta*, who imployed them in the Popes ſeruice vpon all occaſions. But the Count of *Luna*, who was deſigned to be ſent, had remained with the Emperor, and with the K. of the *Romans*, and was very deare vnto them, and had their proiects imprinted in him. And they feared him the more becauſe there was a fame (and it was indeed ſo reſolued, though not effected) that he ſhould beare the name of the Emperors Ambaſſador, to auoid the difference of precedencie with *France*, but really ſhould bee Ambaſſadour of the King. And the Pope did ſuſpect, for many cauſes, the coniunction of thoſe Princes; eſpecially in regard of the King of *Bohemia*, who, in diuers things, had ſhewed he was auerſe from him. And the nomination of the Count of *Luna* was more diſpleaſing to him, becauſe he could not come before the Diet of *Francfort* was ended, which being likely to laſt vntil the end of the yeere, he coniectured the King had a purpoſe to prolong the Councell. But hauing receiued the laſt aduice from the Legats he was perplexed moſt of all, ſeeing the Prelats, euen his owne alſo, were conſpired to make it longer, by meanes of vnſeaſonable perſwaſions, howſoeuer their intereſts did require a quicke diſpatch. He cauſed the letters to be read in congregation of the Cardinals, & gaue order that euery one ſhould thinke

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

1562 Pius 4. Ferdinand. Elizabeth Charles 9. Philip 2.

of the best meanes rather to oppose an infinitie of imminent difficulties, then to take away the present grieuance, in regard the Councell the longer it continued the harder it was to be managed. Neither could any order bee giuen from *Rome*, but, because of the great distance, it was vnseasonable before it came to *Trent*; a thing which in continuance of time would produce some great inconuenience. Hee complained that the *Vltramontans* did consent to prolong it, for their proper interests; the Emperour to gratifie the Dutch-men, and to make his sonne King of the Romans; *France*, to make vse of it, in case of composition with the *Hugonots*; and *Spaine*, to keepe the Low-Countries in hope. He repeated all the difficulties which arose from the diuers interests of the Prelats in Councell, the aimes which were discouered in the Spaniards, and what was suspected of the designes of the French-men, whose comming was expected.

At this time, the French King sent the Abbat of *Mante*, expressly, to *Rome*, to giue the Pope an account of his resolution, to accept the decrees of the Councell, and of the Cardinall of *Loraine* his going to *Trent*, accompanied with many Bishops to propose the meanes to reunite Religion in his kingdome; because both himselfe and his Councell were of opinion, that none was more sufficient for that charge, as well for learning as for experience. The Pope did seeme to bee pleased with the resolution, both in sending the Cardinall, and in accepting the Decrees of the Councell. Hee promised the Legats and Fathers should receiue the French Prelates honourably and courteously, expecting their assistance in matters of religion in which they were so much interested, especially the Cardinall, who is the second Ecclesiasticall person in the world, not much inferiour to a Pope. He said the Bishops had discreetely handled the points of reformation, in the assembly of *Poisi*, offering to cause the greater part of them to be confirmed by the Councell. Hee added, that hee was forced to hasten the ende of the Synode in regard of his great charge, which if it did continue long, hee could not bee able to continue in assisting the King in his warre; so that hee hoped hee would ioyne with him to conclude it. The conclusion of his discourse was, that hee had no authoritie in Councell, but to approoue, or reiect the determinations of it, without which they would bee of no force, and that his purpose was to goe to *Bolonia* when the Councell was ended, and to assemble all the Fathers there, that hee might know them, and thanke them and make the approbation. This French messenger gaue the Pope also the letters of the Cardinall of *Loraine*, of the same tenor, with an addition of profers, to preserue, by all meanes, the authoritie of the holy Sea. The Pope asked him in particular what the Cardinal meant to propose; but receiuing only a generall answere, that is, necessarie remedies for the kingdome of *France*, he answered, to make the Cardinal bethinke himselfe what to do, that all should bee maturely aduised on, euery thing being decided in Councell by pluralitie of voices.

The answere made to the Legates.

It was resolued, in the congregation of the Cardinals, to answere the Legates that they should labour to conclude the Article of residence, before the comming of the French-men, and to referre it to the Pope, without any Decree, if it were possible; but if not, yet, at the least, with a Decree. If neither

ther could bee obtained, then to make the declaration with rewards and punishments, not touching the point whether it were *de iure diuino*. That the Article of the institution of Bishops seemed difficult, and of great consequence, and therefore that they should procure that it should bee remitted likewise; which in case they could not doe, yet they should inuiolably obserue not to suffer a determination to passe, that it was *de iure diuino*. Concerning reformation, that his Holinesse was resolute that none should meddle with the Papacie, and Court; who already had made so many reformations, (which all the world did know) as that euery disorder was redressed; and, if any thing remained, was willing to adde it; that, for all other matters, they should tell all men plainely that the Pope did remit the reformation freely to the Councell; and of those things which were proposed by the Imperialists, and decreed by the Frenchmen in *Poiss*, they should propose in Councell what they thought expedient, but not resolue, before they sent aduise againe.

1562
Pius 4.
Ferdinand.
Elizabeth
Charles 9.
Philip 2.

The proposition, to finish the Councell, was esteemed by the congregation to bee of greater moment; not because the necessitie to doe it was not manifest, but because they saw not the meanes, in regard so many things did remaine to bee handled, and that the Prelates could not bee induced to speake briefly, nor to agree in their discourses; which things were necessary for a sudden dispatch, and, without them, it was impossible to conclude, but in a long time. To supend it, without consent of the Princes, seemed dangerous and scandalous, in regard of the aduice, sent by the Legates, that the Ambassadors *de Ferrieres* and *Fiue Churches* had said, that if the Councel were suspended they would not depart from *Trent*, nor suffer the Prelates, their adherents, to goe, before they had commission from their Princes. To haue commission from them did require much time, because they would vndoubtedly know one anothers minde, before they would answere. Therefore they knew not what to resolue in this matter, but to sollicite the Legats, to dispatch the points, which remained to bee handled. The comming of *Loraine* did trouble them more, being aduised, from diuers places, that, besides the businesse of the election of the Pope, hee meant to propose many nouities, about the collation of Bishoprikes, pluralitie of Benefices, and, which was of no lesse importance, the Communion of the Cup, marriage of Priests, and *Masse* in the vulgar tongue. And, presupposing hee would not begin his iourney before hee had answere from the Abbat of *Mante*, sent by the King and himselfe, they gaue councell to recall the Cardinall of *Ferrara*, and to offer the legation of that kingdome to *Loraine*, which they did thinke might stop him, because hee so much desired to command that Cleargie, that hee had formerly plotted to make himselfe Patriarke in *France*; but if hee came, that more Prelats ought to be sent to the Councell, and some Cardinals also, to counterpoise him. And the Cardinals of *Bordisiera*, and *Nauagero* were named. But this resolution was not then taken, because they feared that *Loraine* would disdaine, and take occasion to doe worse, and because it was not so well knowne whether these were able to make so great an opposition, as also because they were willing to know the opinion first of those who were in *Trent*, for feare of giuing them distast. They considered

The Card. of *Loraine* had a desire to be Patriarke in *France*.

1562 Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

the charge which would increase, which was not fit to bee indured, without great vtilitie. Therefore they resolued to write to the Legates, not to suffer any the least discourse concerning the election of the Pope; which if they could not resist, yet they should not giue any permission, but rather returne to *Rome*, least they should preiudice the Colledge of Cardinals, and *Italie*.

But, in *Trent*, the Deputies for composing the *Anathematismes* and doctrine, hauing considered the opinions of the Diuines, made a draught; and put into it, that Bishops are superiours *iure Diuino*. For the Arch-bishop of *Zara*, and the Bishop of *Conimbria*, chiefe of the Deputies, were of that opinion. But the Legates did not permit it, saying, that nothing ought to bee put into it which was not contained in the Articles; notwithstanding that it should bee thought on, if the Fathers did desire it in the congregations. The Spaniards therefore did immediately resolue to desire it; and the Legates, vnderstanding so much, gaue order to their Prelates, who were wont to contradict, that, if this matter were proposed, they should bee silent and not dispute, that they might not giue the Spaniards occasion to replie, by which meanes the congregations might bee drawne in length, and inconueniences arise, which happened in the matter of residence, but if the instance were prosecuted by *Granata*, or others, the Cardinall *Varmiense* should interrupt them, answering that it was not a point to bee handled in Councell, because it was not controuersed with the Protestants.

The Arch-b. of *Granata* discourseth concerning the institution of Bishops.

The 13. of October 1562. when the first Congregation of the Prelats was held, the Patriarkes, and some Arch-bishops, hauing approoued, in few words, the *Anathematismes*, as they were composed, the Arch-bishop of *Granata* did so likewise concerning the 6. first Canons; in the 7. hee desired it should bee saide, that Bishops, instituted *iure diuino*, are superiours to Priests; saying that hee might with reason desire it, because it was proposed in this forme in the Councel, by Cardinall *Crescentius*, vnder *Iulius* the 3. and approoued by the Synode. For witnesses hee brought the Bishop of *Segouia*, who assisted, as a Prelate, in that Councel, and Friar *Octauianus Preconius*, of *Messina*, Arch-bishop of *Palermo*, who beeing not then a Prelate, was there as a Theologue. Hee said they must needs declare both of these two points, that is, that Bishops are instituted *iure diuino*, and are *iure diuino* superiour to Priests, because it is denied by the heretiques: and he confirmed his opinion at large, with many reasons, arguments and authorities. He alleadged *Dionysius*, who saith that the *Order* of Deacons is inculded in that of Priests, that of Priests in that of Bishops, and that of Bishops in that of CHRIST, who is Bishop of Bishops, He added Pope *Eleutherius*, who, in an Epistle to the Bishops of *France*, wrote, that CHRIST had committed the Church Vniuersall to them. That *Ambrose*, vpon the Epistle to the *Corinthians*, saith, that the Bishop holdeth the place of CHRIST, and is *Vicar* of the LORD. He added also the Epistle of *Ciprian* to *Rogatianus*, where he often repeateth, that the Deacons are made by the Bishops, and the Bishops by GOD: and that famous place of the same Saint, that there is but one Bishoprique, and euery Bishop holdeth a part of it. He said the Pope was a Bishope, so others are,

are, because they are all brothers, sonnes of one father, which is GOD, and of one mother, which is the Church. Therefore the Pope doth also call them brethren; so that if the Pope bee instituted by CHRIST, so are the Bishops also. Neither can it bee said that the Pope calleth them brethren in ciuilitie, or humility onely, because the Bishops also, in the incorrupt ages, haue called him brother. There are extant Epistles of *Cyprian* to *Fabianus*, *Cornelius*, *Lucius*, and *Stephanus*, Popes, wherein hee giueth them the title of brothers; and of *Austine*, written in his owne name, and of the other Bishops of *Africa*, in which the Popes, *Innocentius*, and *Bonifacius*, are likewise called brothers. But, which is most plaine, not onely in the Epistles of those two Saints, but of many others also, the Pope is called Colleague. And it is against the nature of a Colledge to consist of persons of diuers kindes: and if there were such difference, that the Pope should be instituted by CHRIST, and Bishops by the Pope, they could not be in one Colledge. In a Colledge there may be an Head, as in this Colledge of Bishops the Pope is Head: but for edification onely, and, as it is said in Latine, *in beneficientiam cauſam*. St. *Gregory* saith, in his Epistle to *Iohannes Syracusanus*, that when a Bishop is in a fault, hee is subiect to the Apostolique Sea, but otherwise, all are equall, by reason of humility; which Christian humilitie is neuer separated from the truth. He alleadged St. *Ierome* to *Euagrius*, that whersoeuer a Bishop shall be, whether in *Rome*, or in *Augubium*, or in *Constantinople*, or in *Rheggio*, all are of the same merit, and of the same Priesthood, and all successors of the Apostles. Hee inueighed against those Theologues, who saide, that St. *Peter* had ordained the other Apostles Bishops. Hee admonished them to study the Scriptures, and to obserue, that power to teach throughout all the world, to administer the sacraments, to remit sinnes, to binde and loose, and to gouerne the Church, is equally giuen to all: and finally, they are sent into the world, as the Father hath sent the Sonne. And therefore as the Apostles had authority, not from *Peter*, but from CHRIST, so the successours of the Apostles haue not power from the successour of *Peter*, but from CHRIST himselfe. He brought to this purpose the example of the tree, in which there are many branches, but one body onely. Then he iested at those Diuines, who had said, that all the Apostles were instituted by CHRIST, and made equall in authority, but that it was personall in them, and ought not to passe to their successours, except that of St. *Peter*, asking them, as if they had beene present, with what ground, authority, or reason, they were induced to make such a bold affirmation, inuented within these fiftie yeeres only, expressely contrary to the Scripture, in which Christ said to all the Apostles, *I will bee with you, vntill the end of the world*; which words because they cannot be expounded of their particular persons onely, must be necessarily vnderstood of the succession of all; and so they haue beene vnderstood by all the Fathers and Schoolemen, to whom this new opinion is directly contrary. Hee argued, that, if the Sacraments be instituted by Christ, by consequence the Ministers of them are instituted also: and he that will say that the *Hierarchie* is *de iure diuino*, and the chiefe *Hierarke* instituted by his Maiesty, must say that the other *Hierarkes* also haue the same institution. That it is a perpetuall doctrine of the Catholique Church, that *Orders* are giuen by the hand of Ministers,

1562. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

1562 niſters, but the power is conferred by God. Hee concluded that all theſe things beeing true and certaine, and denied by the heretiques, in many pla-
PIVS 4. FERDINAND. ces, which the Biſhop of *Segouia* had collected, it was neceſſarie they
ELIZABETH. CHARLES 9. PHILIP 2. ſhould bee declared, and defined by the Synode, and the contrary hereſies condemned.

Cardinall *Varmienſe* tooke occaſion hence to interrupt him, ſaying, as they had agreed, that there was no controuerſie of this, yea that the *Confeſſioniſts* did maintaine the ſame. Therefore that it was ſuperfluous, and vnprofitable to put it in queſtion, and that the Fathers ought not to diſpute of any thing in which the Catholiques and heretiques doe agree. *Granata*, riſing vp, replied, that the *Auguſtane Confeſſion* did not confirme this, but contradicted it, putting no difference betweene a Biſhop and a Prieſt, but by humane conſtitution, and affirming, that the ſuperiority of Biſhops was firſt by cuſtome, and afterwards by Eccleſiaſticall conſtitution. And hee demanded againe, that this definition might be made in the Councel, or the reaſons and authority, alleadged by him, anſwered. The Cardinall replied, that the heretiques did not deny theſe things, but onely did multiply iniuries, maledictions, and inuectiues, againſt the preſent vſes. And ſome other replies paſſing betweene them, *Granata*, full of diſdaine and heate, ſaid, hee referred himſelfe to the Nations.

After this, there being ſome tumult raiſed and appeaſed, they ſpake of the other points, receiuing the things as they were propoſed, ſome grounding themſelues vpon the ſaying of *Varmienſe*, and ſome holding that the Pope onely is inſtituted *iure diuino*, vntill it came to the Arch-biſhop of *Zara*, who ſaid, it was neceſſary to adde the words (*de iure diuino*) to condemne that which the heretiques ſay to the contrary, in the *Auguſtan Confeſſion*. *Varmienſe* ſaid againe, that in that *Confeſſion* the heretickes did not diſſent in this; and *Zara* alledging the place, and the words, the contention was ſo long, that the Congregation did end with it.

In the Congregations following, the opinions were diuers alſo. In particular, the Arch-biſhop of *Braga* demaunded the ſame adiunct, ſaying, it could not be omitted. He prooued at large the inſtitution of Biſhops *De iure diuino*, bringing reaſons and arguments, like to thoſe of *Granata*, and ſaid, that the Pope could not take from Biſhops the authority giuen them in their conſecration, which doth containe in it the power not onely of *Order*, but of iuriſdiction alſo, becauſe, in it, the people is aſſigned to him to be fed and gouerned, without which the ordination is not of force; whereof this is a manifeſt argument, that to titular and portatiue Biſhops a City is allotted, which would not be neceſſary if the Epiſcopal Order could ſubſiſt without iuriſdiction. Beſides, in giuing the Paſtorall, this forme is vſed, that it is a ſigne of the power which is giuen him to correct vices. And, which is of more importance, when the ring is giuen him, it is ſaid, that with it he doth marry the Church; and, in giuing the booke of the Goſpell, by which the Epiſcopal Character is imprinted, it is ſaid, that he muſt goe to the people, committed to him: and in the end of the conſecration, that prayer is ſayd, *Deus omnium fidelium Paſtor & Rector*: which ſince hath beene in the *Miſſals* appropriated to the Pope, by turning himſelfe to GOD, and ſaying, that

his

his will is, that the Bishop should gouerne the Church. Moreouer, *Innocentius* the third said, that the spirituall marriage of the Bishop with the Church is a bond, instituted by GOD, not to bee loosed by the power of man, and that the Pope cannot translate a Bishop, but because he hath special authority to do it; all which things would be very absurd, if the institution of Bishops were *De iure diuino*. The Arch-bishop of *Ciprus* said, that it ought to be declared that Bishops are superiours to Priests *Iure diuino*, but reseruing the authority in the Pope. The Bishop of *Segouia*, adhearing wholy to the conclusions and reasons of *Granata*, made a long repetition of the places of the heretickes, where they deny the superiority of Bishops, and their institution to be *De iure diuino*. He said, that as the Pope is successor of *Peter*, so the Bishops are of the *Apostles*: and that it was plaine, by the Ecclesiasticall History, and by the Epistles of the Fathers, that all Bishops gaue an account one to another, of all that hapned in their Churches, and receiued approbation thereof from others. The Pope did the same for the occurrences of *Rome*. He added, that the Patriarkes, when they were created, sent a circular Epistle to the others, to giue them an account of their ordination, and faith; which was as much performed by the Popes to others as by others to them, that if the power of the Bishops be weakned, that of the Pope is weakned also; that the power of *Order*, and iurisdiction, is giuen to the Bishops by GOD, and that the diuision of Dioceses, and the application of them to the person proceedeth from the Pope. He alleadged an authority of *Anacletus*, that Episcopal authority is giuen in the ordination, with the vnction of the holy Chrisme; that the degree of a Bishop is as well an *Order*, instituted by CHRIST, as the Priest-hood; that all Popes, vntill *Siluester*, haue either professedly, or incidently said it is an *Order*, which commeth immediatly from God, that the words spoken to the *Apostles*, *Whatsoeuer ye shall bind on earth, &c.* giue power of iurisdiction, which is necessarily conferred vpon the Successors, that CHRIST did institute the Apostles with iurisdiction, and since that time the Church hath euer instituted Bishops in the same sort. Therefore this is an Apostolical tradition; and, it being defined that points of faith are taken out of the Scripture, and Traditions, it cannot be denied that this of the Episcopall institution is an Article of faith; and the rather, because S. *Epiphanius*, and S. *Austin* do put *Aerius* in the number of heretiques, for saying that Priests are equall to Bishops, which they would not haue done if Bishops had not beene *De iure diuino*.

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

59. Fathers were of this opinion, and perhaps the number had beene greater if many had not bin ill at ease at that time, of a defluction of rheume, which then did generally raigne, and some others had not fained the same impediment, that they might bee out of the crowd, and offend none, in a matter, handled with such passion; especially those, who, for speaking what they thought in the matter of Residence, found they had incurred the displeasure of their Patrons; as also if Cardinall *Simoneta*, when he saw matters proceed so farre, had not vsed diuers perswasions, employing herein *Iohannes Antonius Fachinettus*, Bishop of *Nicastro*, and *Sebastianus Vantius*, Bishop of *Oruieto*; who perswaded, with much cunning, that the enterprise of the *Spaniards* was to shake off their obedience to the Pope, and that it would bee an

Simoneta vseth practises in y point of institution of Bishops.

apostacy

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

apostacy from the Apostalike *Sea*, to the great shame and damage of *Italie*, which hath no other honour about the Nations beyond the Mountaines, but that which it receiueth from the Papacie. *Fiue Churches* said, it was fit that it should be declared *quo iure* all the *Orders* and degrees of the Church are instituted, and from whom they receiue authoritie. Some others adhered to him, and, in particular, *Pompeius Pichellemini*, Bishop of *Trepica*; who, making the same instance, added, that when all the degrees of the Church were handled, from the greatest to the least, and declared *quo iure* they were, he would deliuer his opinion also concerning the degree of Bishops, if the Legates would giue leaue. In this number some briefly adhered to the opinion of others who had spoken in this matter, and some amplified the same reasons, and turned them into diuers formes, so that it would be too long to make a narration of all the suffrages which are come into my hands.

That of *George Sincout*, a Franciscan Friar, Bishop of *Segna*, doth well deserue to be repeated; who, adhering to *Granata*, said, that he would neuer haue beleeued that any could haue doubted whether Bishops are instituted, and haue authority from Christ. For if they haue it not from his diuine Maiesty, neither can the Councell haue any from him, which consisteth of BB. that it is necessarie that a Congregation, though very populous, haue their authority from whom the particular persons haue it; that if Bishops are not instituted by CHRIST, but by men, the authority of them altogether is humane, and he who heareth it spoken, that Bishops are not instituted by CHRIST, must needs think that this Synod is a Congregation of prophane men, in which CHRIST doth not preside, but a power receiued precarily from men, and so many Fathers would in vaine reside in *Trent*, to their great charge and trouble, because hee who hath giuen the power to Bishops, and the Councell, may, with more authoritie, handle the same things, and it would bee a great illusion generally of all Christendome to propose it, not onely as the best, but as the onely and necessary meanes, to decide the present controuersies. He added, that he had beene fiue moneths in *Trent*, with this perswasion, that neuer any would haue doubted whether the Councell hath authoritie from GOD, and whether it may say as the first Councell of *Ierusalem* did, *It seemed to the holy Ghost and to vs*; that he would neuer haue come to the Councell, if he had beleeued that CHRIST had not beene in the midst of it. Neither can any one say, that, where CHRIST assisteth, the authoritie commeth not from him; that if any Bishop should beleeue and thinke his authoritie to be humane, it had beene great boldnesse in him to denounce, in the former difficulties, *anathematismes*, and not rather referre all to him who hath greater authoritie. And if the authoritie of the Councell be not certaine, it was fit in the yeere 1545. when this was first assembled, that this matter should haue beene sifted, and decided what the authority of Councels is, as is vsually done in places of iustice, where, in the beginning of the cause, it is disputed, and decreed whether the Iudge be competent, least in the end, there be a nullitie in the sentence, for want of authoritie. The Protestants, who doe take all occasions to detract from, and wrong this holy Synod, cannot haue any more fit, then that it is not certaine of its

owne

owne authority. He concluded, that the Fathers ſhould take heed what they did reſolue, in a point, which being reſolued truely, doeth eſtabliſh all the actions of the Councell, and if otherwiſe, ouerthroweth all. 1562. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The nineteenth of October, all the Fathers made an end of ſpeaking in this matter, except Father *Lainez*, Generall of the Ieſuites; who, being to ſpeake laſt, did purpoſely abſent himſelfe that day, that hee might haue a whole congregation for himſelfe alone. And to make the cauſe hereof vnderſtood, we muſt returne a little backe, and remember, that when the queſtion was ſet on foote in the beginning, the Legats thought that the aime was onely to make great the authoritie of Biſhops, and to giue them more reputation. But, before the ſecond congregation was ended, they perceiued, very late, by the voices giuen, and reaſons vſed, of what importance and conſequence it was. For it did inferre, that the keyes were not giuen to *Peter* onely; that the Councell was aboue the Pope, and the Biſhops equall vnto him, who had nothing left but a preheminence aboue others. They ſaw that the dignitie of Cardinals, ſuperiour to Biſhops, was quite taken away, and that they remained meere Prieſts, or Deacons; that, by that determination, reſidence was inferred by a neceſſary conſequence, and the Court brought to nothing; that the preuentions and reſeruations were remooued, and the collation of Benefices was drawen to the Biſhops. It was noted that the Biſhop of *Segouia* had, a few dayes before, refuſed to admit one to a Benefice in his Dioceſſe, to whom it was giuen in *Rome*. And theſe things did ſtill appeare more plainely, as new ſuffrages were daily giuen, and new reaſons alleadged. For theſe cauſes the Legats did vſe the ſollicitations aforeſaid, for feare that more Italians might ioyne with the Spaniards. Yet they were not able to preuaile ſo much, but that almoſt the halfe were of that opinion. And the other Papalins reprehended the Legats, becauſe they foreſaw not what might happen, but ſuffered ſuch great preiudices to come vpon them, ſaying, they proceeded by chance, and admitted not counſels and aduertiſements of wiſe men; that, ſo ſoone as *Granata* deliuered his ſuffrage, they were put in minde to vſe effectuall ſollicitations, which afterwards they were forced to vſe, when it was too late; that by their want of care (if not malice in ſome) matters haue beene handled of the greateſt importance that can poſſibly happen in Councell. They added, that the Ambaſſadour *Lanſac* had, by many ſollicitations, vſed to diuers of the Prelates, diſcouered himſelfe to be not onely a fauourer, but a promoter of that opinion; and conſidered what an addition would be made vnto it, when the French-men came, who were expected. And they ſpake ſo openly, that ſome words came to the eares of the Legats themſelues; who, ſeeing now the danger not foreſeene, thought (in regard the matter had proceeded ſo farre, and ſo many had put themſelues on that ſide) that it was not fit to thinke of diuerting the queſtion, but of finding a temper, to giue the Spaniards ſome ſatisfaction. And, after long conſultation, they determined to compoſe the Canon, with theſe wordes; That Biſhops haue the power of *Order* from GOD, and, in that, are ſuperiour to Prieſts; not naming iuriſdiction, for feare of making them ſuſpect. For, by ſuch a forme of wordes, it might be inferred, that the iuriſdiction remained wholly in the Pope, without ſaying it.

Lainez ſpendeth a whole congregation himſelfe.

The importance of this point of the inſtitution.

They

1562 They ſent Father *Soto*, to treat with the Spaniſh Prelats, concerning this forme, not ſo much with hope to remooue any of them, as to penetrate to what they might be brought. *Granata* gaue him audience, but no anſwere. He laboured with others alſo, and gained the reputation of a good Courtier of *Rome*, in ſtead of the other, of a good Friar, as he was before. And, to win ſome that wauered, and ſome who vnaduiſedly fell into that opinion, being otherwiſe deuoted to the Pope, they reſolued to vſe ſollicitations vnto them, that, vnderſtanding the difficultie, they might be content to referre it to his Holineſſe, or at the leaſt, to ſpeake more ſparingly. To performe this, with the two aforenamed, they ioyned the Archb. of *Roſano*, and the B. of *Ventimiglia*. And, that thoſe who would acknowledge their error might haue colour to retire, they gaue order that *Laynez* ſhould make an exact full Lecture on this matter; and, that it might be heard attentiuely, and make an impreſſion, they would not haue him, as hath beene ſaid, ſpeake after the others, in the end of the Congregation, but allowed him one wholly for himſelfe. The foure Ieſuits conſulted together concerning the opinion, and *Caueglione* laboured more then the reſt. And, not to omit any good meanes of diuerſion, they buſied the Prelates in another matter. For, to returne to the occurrences of that Congregation, after that the Generall of the *Serui* (who was the laſt) had giuen his voice in conformitie of the Spaniards, the Cardinall of *Mantua* admoniſhed the Fathers deputed for the *Index*, and ſhewed how important a buſineſſe they had in hand, in regard all ſubuerſions doe ariſe, & all hereſies are ſpread, by meanes of books; he exhorted them to be diligent, and to let the Synod ſee the end of the work quickly; he ſaid he knew it required much paines and time, but conſidered withal that all the Fathers would contribute their labours to the aſſiſtance of the deputies; ſaying, that the Congregations were ſpent in handling queſtions of no profite, and a worke ſo neceſſarie deferred. Hee exhorted in the end, that this particular of the *Index* might be concluded in the next Seſſion.

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The diſcourſe of *Laynez*.

The morning being come, *Laynez* ſpake more then two houres, very fitly, with great vehemence, and maſter-like. The argument of his diſcourſe had two parts; the firſt he ſpent in prooving, that the power of iuriſdiction was giuen wholy to the Biſhop of *Rome*, and that none in the Church beſides hath any ſparke of it, but from him; and the ſecond, in reſoluing all the cõtrary arguments, vſed in the former congregations. The ſubſtance was, that there is great difference, yea contrarietie betweene the Church of Christ and ciuill ſocieties. For theſe haue firſt their being, and then they frame their gouernment, and therefore are free, and all iuriſdiction is originally in them which they do communicate to Magiſtrates, without depriuing themſelues of it. But the Church did not make it ſelfe, nor its gouernment, but Christ, who is Prince and Monarch, did firſt conſtitute Lawes, by which it ſhould be gouerned, and then did aſſemble it, and, as the Scripture ſaith, did build it; ſo that it was borne a ſeruant, without any kinde of libertie, power, or iuriſdiction, and abſolutely ſubiect. For proofe hereof, he alleadged places of the Scripture, in which the congregation of the Church is compared to a ſowing, to the draught of a net, and to a building: and where it is ſaid that Christ came into the world to aſſemble his faithfull people,

to

to gather together his sheepe, to instruct them, by doctrine and example. Then he added that the first and principall ground, vpon which CHRIST built the Church, was *Peter* and his succession, according to the words which hee spake to him; Thou art *Peter*, and vpon this rocke I will build my Church. Which rocke howsoeuer some of the Fathers haue vnderstood to bee CHRIST himselfe, and others the faith of *Peter*, or the confession of his faith, yet the more Catholique exposition is, that *Peter* himselfe is vnderstood, who, in the Hebrew and Siriacke, is called a stone. And, continuing his discourse, hee sayd, that while CHRIST liued in the mortall flesh, he gouerned the Church with an absolute Monarchiall gouernement, and, being to depart out of this world, left the same forme, appointing, for his *Vicar*, Saint *Peter* and his Successors, to administer it as hee had done, giuing him full and totall power and iurisdiction, and subiecting the Church to him, as it was to himselfe. This hee prooued of *Peter*, because the keyes of the Kingdome of heauen were giuen to him onely, and, by consequence, power to bring in and shut out, which is iurisdiction. And to him alone it was sayd; *Feede*, that is, *gouerne my sheepe, animals*, which haue no part or iudgement in gouerning themselues. These things, that is, to bee a Key-keeper, and a *Pastour*, beeing perpetuall offices, must bee conferred vpon a perpetual person, that is, not vpō the first only, but vpon all his succession. So the Bishop of *Rome*, from S. *Peter* to the end of the world, is true and absolute Monarke, with full and totall power and iurisdiction, and the Church is subiect vnto him, as it was to CHRIST. And as when his diuine Maiestie did gouerne it, it could not be said, that any of the faithfull had any the least power or iurisdiction, but meere, pure, and totall subiection, so it must be said, in all perpetuitie of time, and so vnderstood, that the Church is a sheepfold, and a kingdome; and that which Saint *Ciprian* saith, that there is but one Bishopricke, and a part of it held by euery Bishop, is to bee expounded, that the whole power is placed in one Pastor, without diuision, who doth impart and communicate it to his fellow ministers, as cause doth require. And in this sence Saint *Ciprian* maketh the Apostolique *Sea* like vnto a roote, an head, a fountaine, and the sunne; shewing, by these comparisons, that iurisdiction is essentiall in that alone, and in others by deriuation or participation. And this is the meaning of the words, so much vsed by antiquitie, that *Peter* and the Pope haue fulnesse of power, and the others are of their charge. And that he is the onely Pastor, is plainely proued by the words of CHRIST, when he said, he hath other sheepe which he will gather together, and so one sheepfold should be made, and one Shepheard. The Shepheard, meant in that place, cannot be CHRIST, because hee would not speake in the future, that there shall be one Sheepheard, himselfe then being a Shepheard, and therefore it must be vnderstood of another Shepheard, which was to be constituted after him, which can be no other but *Peter*, and his Successors. And here he noted that the precept, *Feede the flocke*, is found but twice in the Scripture: once giuen by CHRIST to *Peter* onely, *Feede my sheepe*; againe by *Peter* to others, *Feed the flocke allotted to you*. And if the Bishops had receiued any iurisdiction from CHRIST, it would bee equall in all, and no difference betweene Patriarkes, Arch-bishops, and Bishops; neither

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

1562
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

ther could the Pope medle with that authoritie, to diminish or take it all away, as hee cannot in the power of *Order*, which is from God. Therefore he aduised them to beware, least, by making the institution of Bishops, *de iure Diuino*, they doe not take away the *Hierarchie*, and bring in an *Oligarchie*, or rather an *Anarchie*. Hee added also, that, to the end *Peter* might gouerne the Church well, so that the gates of hell might not preuaile against it, Christ, being neere vnto his death, prayed effectually that his faith might not faile, and gaue him order to confirme the brethren, that is, hee gaue him a priuiledge of infallibilitie in iudgement of faith, manners and religion, binding all the Church to heare him, and to stand firmely in that which should bee determined by him. Hee concluded, that this was the ground of Christian doctrine, and the rocke vpon which the Church was built. Then hee censured those who held there is any power in Bishops receiued from Christ, because it would take away the priuiledge of the Roman Church, that the Pope is the Head of the Church and Vicar of Christ. And it is very well knowne, what is constituted by the olde Canon, *Omnes siue Patriarchæ, &c.* that is, that hee who taketh away the rights of other Churches committeth iniustice, and hee that taketh away the priuiledges of the Church of *Rome* is an heretike. He said it was a meere contradiction to say the Pope is Head of the Church and the gouernement Monarchicall, and then say that there is a power or iurisdiction not deriued from him, but receiued from others.

In resoluing the contrarie arguments, hee discoursed that, according to the order instituted by Christ, the Apostles were ordained Bishops, not by Christ, but by Saint *Peter*, receiuing iurisdiction from him onely; and many Catholike Doctours doe holde that this was obserued: which opinion is very probable. But the others, who say the Apostles were ordained Bishops by Christ, doe adde, that his diuine Maiestie in so doing, did preuent the office of *Peter*, by doing, for that one time, that which belonged to him, giuing to the Apostles that power which they ought to receiue from *Peter*, euen as God tooke some of the spirit of *Moyses*, and diuided it amongst the seuentie Iudges. So that it is as much as if they had beene ordained by, and receiued authoritie from *Peter*; who therefore did remaine subiect vnto him, in respect of the places where, and the manner how to exercise the same. And howsoeuer it is not read that *Peter* did correct them, yet this was not for want of power, but because they did exercise their charge aright. And hee that shall reade the renowned and famous Canon, *Ita dominus*, will assure himselfe, that euery good Catholike ought to defend, that the Bishops, successors of the Apostles, doe receiue all from *Peter*. Hee obserued also, that the Bishops are not successors of the Apostles, but onely because they are in their place, as one Bishop succeedeth another, not because they haue beene ordained by them. To those who inferred, that therefore the Pope might refuse to make Bishops and so himselfe remaine the onely man, he answered, it was Gods ordination there should bee many Bishops in the Church, to assist him, and therefore that hee was bound to preserue them: but there is a great difference, to say a thing is *de iure Diuino*, or that it is ordained by God. Those *de iure Diuino* are perpetuall, and depend on God alone, both in gene-

rall,

rall, and in parttcular at all times. So Baptiſme, and all the Sacraments are *de iure Diuino*, in euery one of which God hath his particular worke; and ſo the Pope is from God. For when one Pope doeth die, the keyes doe not remaine to the Church, becauſe they are not giuen to it, but a new Pope being created, God doeth immediately giue them vnto him. Now it is not ſo in things of diuine ordination, in which the generall onely proceedeth from God, and the particulars are executed by men. So Saint *Paul* ſaith, that *Princes and temporall powers are ordained by God*, that is, that the generall precept, that there ſhould be Princes, commeth onely from him, but yet the particulars are made by the ciuill Lawes. After the ſame maner, Biſhops are by diuine ordination, and Saint *Paul* ſaith they are placed by the holy Ghoſt, to gouerne the Church, but not *de iure Diuino*. Therefore the Pope cannot take away the generall order of making Biſhops in the Church, becauſe it is from God, but euery particular Biſhop, being *de iure Canonico*, may bee remooued by the Popes authoritie. To the oppoſition that then the Biſhops would be *Delegati*, and not *Ordinarij*, he anſwered, that there was one iuriſdiction fundamentall, and another deriued; and the deriued is either delegate, or ordinarie. In ciuill Common wealthes the fundamentall is in the Prince, and the deriued in all the Magiſtrates: neither are the Ordinaries different from the Delegates becauſe they receiue authoritie from diuers perſons, yea all doe equally deriue from the Soueraignetie, but the difference ſtandeth, becauſe the Ordinaries are by a perpetuall law, and ſucceſſion, and the others haue a particular authoritie either in regard of the perſon, or the caſe. Therefore the Biſhops are Ordinaries, becauſe they are made by the Popes law a dignitie of perpetuall ſucceſſion in the Church. Hee added, that thoſe places where authoritie ſeemeth to bee giuen to the Church by CHRIST (as theſe, that *it is a pillar and foundation of trueth, that he who will not heare it ſhall bee eſteemed an Heathen and a Publican*) are all vnderſtood in regard of its Head, which is the Pope, and therefore the Church cannot erre, becauſe hee cannot, and ſo hee that is ſeparated from him who is Head of the Church, is ſeparated alſo from the Church. To thoſe who ſaide the Councell could not haue authoritie, if none of the Biſhops had it, he anſwered that this was not inconuenient, but a very plaine and neceſſarie conſequence; yea if euery particular Biſhop in Councell may erre, it cannot bee denied that they may erre altogether; and if the authoritie of the Councell proceeded from the authoritie of Biſhops it could neuer bee called generall, becauſe the number of the aſſiſtants is alwayes incomparably leſſe then that of the abſent. He told them, that in this Councell, vnder *Paul* the third, principall Articles were defined, concerning the Canonicall Bookes, interpretations, paritie of traditions with the Scriptures, by a number of fiue, or a leſſe; all which would fall to the ground if the multitude gaue authoritie. But as a number of Prelates, aſſembled by the Pope to make a generall Councell, bee it how ſmall ſoeuer, hath the name and efficacie to bee generall from the Pope onely, ſo alſo it hath its authoritie; ſo that if it doeth make Precepts or *Anathematiſmes*, neither of them are of force but by vertue of the Popes future confirmation. And when the Synode ſaith, that it is aſſembled in the holy Ghoſt, it meaneth that the Fathers are congregated, according

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

He prooueth that the Pope is aboue the Councell.

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

to the Popes intimation, to handle that, which, being approoued by him, will be decreed by the holy Ghoſt. Otherwiſe how could it be ſaide that a Decree was made by the holy Ghoſt, and could be made to be of no force by the Popes authoritie, or had neede of greater confirmation. And therefore in the Councels, be they neuer ſo frequent, if the Pope bee preſent, hee only doth decree, neither doeth the Councell any thing but approoue, that is receiue the Decrees; and therefore it hath alwayes beene ſaid, *Sacro approbante concilio*, yea euen in reſolutions of the greateſt weight (as was the depoſition of the Emperour *Frederic* the ſecond, in the generall Councell of *Lyons*) *Innocentius* the fourth, a moſt wiſe Pope, refuſed the approbation of the Synod, that none might thinke it to bee neceſſarie, and thought it ſufficient to ſay, *Sacro præſente concilio*. And, for all this, the Councell cannot be ſaid to be ſuperfluous, becauſe it is aſſembled for better inquiſition, for more eaſie perſwaſion, and to giue ſatisfaction to men. And when it giueth ſentence, it doth it by vertue of the Popes authority, deriued from God. And for theſe reaſons, the good Doctors haue ſubiected the Councels authoritie to the Popes, as wholy depending on it, without which it hath not the aſſiſtance of the holy Ghoſt, nor infallibilitie, nor power to bind the Church, but as it is granted by him alone, to whom CHRIST hath ſaid, *Feede my ſheepe*.

The cenſure of this diſcourſe.

There was not any diſcourſe in this Councell more praiſed and diſpraiſed, according to the affections of the hearers. The Papalins ſaid it was moſt learned, reſolute, & ſubſtantiall, others did condemne it of flatterie, and ſome of hereſie: and many made it knowen they were offended by his ſharpe cenſure, and that they purpoſed in the Congregations following, to confute him vpon all occaſions, and to note him of ignorance, and temeritie. The Biſhop of *Paris*, who was ſicke at home when hee ſhould haue giuen his voice, told euery one that, when a Congregation was held, he would deliuer his opinion againſt that doctrine, without reſpect, which not beeing heard in former ages, was, within theſe fifty yeeres, inuented by *Caietan*, to gaine a *Cap*; that in thoſe times it was cenſured by the *Sorbone*; that, in ſtead of a celeſtiall Kingdome (for ſo the Church is called) it maketh it not a kingdome, but a temporall tyrannie; that it taketh from the Church the title of the *Spouſe* of CHRIST, and maketh it a ſeruant, proſtituted to a man. He will haue but one Biſhop inſtituted by CHRIST, and the others not to haue any authoritie but dependant from him; which is as much as to ſay, that there is but one Biſhop, and the others are his Vicars, to be remooued at his pleaſure. He ſaid this ſhould excite all the Councell, to thinke how the Epiſcopall authoritie, ſo much debaſed, might be kept aliue, and that it may not come to nothing; becauſe euery new congregation of Regulars which doth ariſe, doeth giue it a great ſhake. The Biſhops haue held their authoritie intire vntill the yeere 1050. when it receiued a great blow by the *Cluniacenſian* and *Ciſtercienſian* Congregations, and others which aroſe in that age, becauſe many functions, proper and eſſentiall to Biſhops, were, by their meanes, reduced to *Rome*. But when the *Mendicants* beganne after the yeere one thouſand two hundred, almoſt all the exerciſe of Epiſcopall authoritie was quite taken away, and giuen to them, by priuiledge. Now this new congregation, borne but the other day, which is neither ſecular nor regular

(as

(as the Vniuersitie *Paris* did well obserue eight yeeres since, knowing it was dangerous for matter of faith, a perturber of the Churches peace, and fitte to destroy Monasticall life) to goe beyond their predecessours, doeth labour to take away all iurisdiction of Bishops, by saying it is not giuen them by GOD, and that they ought to acknowledge that they haue receiued it precarily from men. The Bishop hauing repeated these things to diuers men, mooued many to thinke of the matter, who before did not regard it. But those that were seene in Histories did speake no lesse of that obseruation, *Sacro præsente Concilio*: which beeing in all the Canonicall Textes, seemed new vnto them all, because they had not marked it. And some approoued the *Iesuites* interpretation, and some, on the contrarie, said that the Councell had refused to approoue that sentence. Some proceeding another way, sayd, that the question beeing of a temporall matter, and worldly contentions, the businesse might passe either one way or other; but that no consequence could bee drawen from hence, that the same might bee done in matter of faith, or Ecclesiasticall *Rites*, especially it being obserued that, in the Councell of the Apostles, which ought to be a rule and paterne, the Decree was not made by *Peter*, in presence of the Councel, nor by him with approbation, but the Epistle was intitled with the names of the three degrees, assisting in that congregation, *Apostles*, *Elders*, and *Brothers*, and *Peter* was included in the first, without prerogatiue. An example, which, in regard of antiquity, and diuine authoritie, is of more credit then all those of the times following, yea then all together. And, for that day, in respect of these and other points, the discourse of the *Iesuite* gaue matter of talke throughout all *Trent*, and nothing else was spoken of.

1562

PIVS. 4.
FERDINAND
ELIZABETH.
CHARLES 9.
PHILIP. 2.

The Legats were not pleased that this remedie, applied for a medicine, did worke a contrary effect, perceiuing that, in the Congregations, the voices would bee longer in giuing; neither did they know how to hinder it. For that Father hauing spoken more then two houres, it did not appeare how hee that would contradict him could bee interrupted, especially it being in his owne defence. And vnderstanding that *Laynez* enlarged his discourse, with purpose to publish it, they forbade him to impart it to any, that others might not take occasion to write against it; obseruing what mischiefs succeeded, because *Catharinus* published his opinion concerning residence, whence all the euill did spring, which still continueth stronger then euer. But hee could not forbeare to giue copies to some, as well to honour himselfe, and oblige the Papalins to his societie, then rising, as also to moderate in writing some particulars, deliuered with too much petulancie. Many did make preparation to write against him; and this motion continued vntill the Frenchmen came, who caused this difference to bee forgotten, by bringing in others more considerable, and important. Yet the *Papalins* continued their counsels against the *Spaniards*, and their practises with the Prelates, whom they thought they might winne. And a *Spanish* Doctour, called *Zanel*, did fitly offer himselfe to the Legates, and proposed meanes to put the Prelates of that nation vpon their defence, and giue them something else to thinke on. And hee proposed to them thirteene points of reformation which did touch them at the quicke. But they could not hence gather

The comming of the French men did hinder the answering of it.

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

the fruit they expected, because those reformations required others also belonging to the Court, which made them desist, lest, according to the prouerbe, by taking one eye from their aduersaries, they might loose both their owne. The practises were so manifest, that, in a banquet of many Prelates in the house of the French Ambassadours, discoursing of the custome of ancient Councels, not obserued in this, that the Presidents of the Synod, and the Ambassadors of Princes deliuered their voyces, *Lansac* said aloud, that the Legates gaue auricular voices; and was well vnderstood by all, that hee meant their practises.

The Legats giue auricular voyces.

When these Congregations were held, *Fiue Churches* presented the Emperours letters to the Legates; who wrote vnto them, that, hauing satisfied themselues in publishing the Canons of the sacrifice of the *Masse*, they would forbeare to proceed in the sacraments of *Order*, and *Matrimony*, and handle the matter of reformation in the meane while, referring to their wisdome to handle what part pleased them best, of those things which were proposed to them, in his name. *Fiue Churches* spake in conformity of the letter, and made the same request, that, the matter of *Order* being so farre proceeded in, they would, at the least, forbeare to handle that of *Marriage*, that, in the meane space, the Emperour might induce the *Germans* in the Diet to goe and submit themselues to the Councel. For so long as the Dutch and French-men continue in their resolution, not to goe to it nor acknowledge it, the Fathers doe in vaine abide there, to their great cost and incommodity; and when his Maiestie shall see they cannot be perswaded, he will procure a suspension of the Councel, thinking it will bee a greater seruice to God, and benefit to the Church, to leaue matters vndecided, and in the state they are, expecting a more fit time for the conuersion of those who are seperated, then by precipitating (as hath beene done vntill that time) the decision of controuersies, in absence of those who haue put them in disputation, to make the Protestants irreconciliable, without any benefit of the Catholiques; saying, that, in the meane while, they might treat of the Reformation, that the Ecclesiasticall goods may be distributed to persons of desert, and all haue part of them, and the reuenues may be well dispensed, and the part belonging to the poore not vsurped by any; and such other things. In the end, hee demanded of them, whether, the Count of *Luna* comming with the title of the Emperours Ambassadour, the difference betweene *Spaine* and *France* for precedence will cease. The Legates answered to this last, that they did not see what pretence the French-men could haue to contend; and, for the rest, they said they could not forbeare to handle the points of doctrine, but that, with them, they would handle the Reformation effectually, according to the order set downe by the Synode. They commended the Emperours intention, to desire the Protestants to submit, but added, that, for this hope, the Councel ought not to be prolonged. For the Emperour *Charles*, in the Papacie of *Iulius* the 3. made meanes for the same, and obtained it also; but the Dutch-men proceeded with dissimulation, to the damage of the Church, and of the Emperor himselfe. Therefore it was not fit the Councel should change its pace, before the Emperour was assured of the intentions of the Princes and people, aswell Catholique as Protestant, and what kind of obe-

The Emperour desireth that the doctrine may be deferred, and onely the Reformation handled.

dience

dience they will yeelde to the Decrees made already, and to be made in this Councel and in the former, requiring the obseruation of the Synode, with authenticall *Mandats* of the Prouinces and Princes, and obligation from them for the execution of the Decrees, that their cost and labour may not be in vaine, and laughed at. And in conformity heereof they answered the Emperour. 1562

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

A Congregation was held the 25. of October, to receiue *Valentinus Erbutus*, Bishop of *Premisa*, Ambassadour of *Polonia*; who made a short speech concerning the Kings deuotion, the tumults of the Kingdome about religion, the necessity of a good reformation, the vsing of some remission in yeelding to the desires of the people, in matters which are *de iure Positiuo*. The *Speaker* answered in the Synods name, thanking the King and the Ambassadour, and offering to giue assistance in all the occasions of that Kingdome. The Legates did not permit that any thing else should bee handled in that Congregation, for the cause which shall be related.

The Ambassadour of *Polonia* is receiued.

The Court in *Rome*, and the Popes Ministers in *Trent*, were no lesse troubled with the Spaniards, and their adherents in Councel, then with the expectation of the comming of *Lorraine*, and of the French-men; with which they were not so much mooued, so long as there was hope that some rubbe might stoppe them, as after that certaine newes came that they would keepe the day of *All-Saints* with the Duke of *Sauoy*. The Cardinall, either vainely or of purpose, made it knowen at the French Court, before he parted, and in many places in the iourney, that he would handle diuers things in diminution of the Popes authority and commodities of the Court, which beeing reported diuers waies, both in *Rome* and *Trent*, made an impression in both places, that the generall intention of the French-men was, to prolong the Councel, and, according to occasions, to discouer, and put in practise their particular desseignes: and they had coniectures to make them beleeue, that it was not without the knowledge of the Emperour, and of other Princes, and Lords of *Germany*. And howsoeuer they were assured, that the Catholique King held not full intelligence with them, yet they had strong arguments to make them beleeue, that his desseigne was to prolong the Councel, or, at the least, not to suffer it to end. To crosse this purpose, they determined to propose the abuses of the Kingdome of *France*, and to let the Ambassadours vnderstand that they would make promision for them; because all Princes, who desire a reformation in the Church, would not willingly endure any at all of themselues, so that they thought that if any matter of importance were handled to their preiudice, they would forbeare, and make their Prelates forbeare also to speake of things preiudiciall to the Apostolique Sea. Therefore, after some packets had passed betweene *Rome* and *Trent*, it beeing iudged a good course, the abuses were collected, which were said to be principally in *France*, and partly in other Dominions. And hence the reformation of Princes began, which, in the relation of the things that follow, will affoord vs much matter.

The comming of the French Prelates doeth much trouble the Pope and Court.

How the reformation of Princes began

Besides, in *Rome* it was thought to bee a good remedie, that the Legates should bridle the transcendent boldnesse of the Prelates, vsing their authority and superiority, more then they had done. And, in *Trent*, it was thought to

1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

be a good course, to keepe the Prelates, their adherents, vnited, well edified, and satisfied. For howsoeuer the voices of the contrary part might encrease, yet they should euer exceed in number, and bee Lords of the resolutions. And they thought fit also to proceed to finish the Councel, or suspend, or translate it. They wrote also, and made many of the popish Prelates to write to their friends and Patrons in *Rome*, that there could bee no better resolution or prouision, then to giue occasion, (which might easily bee done) that some Prince might desire the *suspension*, not suffering any to slippe; and, for this end, they demanded diuers *Breifes* to be sent them from *Rome*, in matter of *translation*, *suspension*, &c. that they might make vse of them, as occasion was offered. They counselled the Pope also to goe to *Bolonia* in person. For besides the receiuing of more frequent and fresh aduices, and the sudden making of incident, and necessary prouisions, hee might haue a coulorable reason to translate the Councel to that Citie, vpon euery small occasion, or to suspend it; desiring him that, as they had imparted nothing to the Cardinall *Madruccio*, so nothing might come to the eares of the Cardinall of *Trent* his vncle, who, for many respects, and particular interests, would certainely vse all meanes that it might not bee transferred from *Trent*.

To quench the boyling heat in the controuersie about the institution of Bishops, that it might not increase, by meanes of so many who were prepared to contradict *Laynez*, they would not hold any Congregation for many daies. But this leasure did strengthen their opinions, and they spake of no matter but of this, in euery corner, and almost euery day three or foure of them ioyned together, and went to some of the Legates, to renew the instance. And, one day, the Bishop of *Gadici* with foure more, hauing, after the proposition made, added, that as they confessed that the iurisdiction belonged to the Pope, so they were content that it should bee expressed in the Canon. The Legats beleeued that the *Spaniards*, acknowledging their error, would confesse that all iurisdiction was in the Pope, and deriued from him: but, desiring a further declaration, that Bishop said, that as a Prince doth institute in a Citie a Iudge of the first instance, and a Iudge of appeale, who though he be superior, yet cannot take authority from the other, nor vsurpe the causes belonging to him, so CHRIST, in the Church, hath instituted all Bishops, and the Pope superiour, in whom the supreme Ecclesiasticall iurisdiction was, yet so, as that others had theirs, depending on CHRIST alone. *Fiue Churches* complained to euery one, that so much time was lost without holding any Congregation, which might bee profitably spent, but that the Legats did, according to their vse, purposely suffer it to bee spent in vaine, that they might giue forth the Articles of reformation the last day, that there might not be time to consider, much lesse to speake of them. But the Legats were not idle, still thinking how they might finde a forme for this *Canon*, which might bee receiued, and changed it more then once a day: which formes going about, and shewing the hesitation of the Legats, the *Spaniards* were not onely encouraged in their opinion, but spake also with more liberty; so that, in a meeting of many Prelates, *Segouia* was not afraid to say, that one word would bee cause of the ruine of the Church.

Seuen

Seuen daies being paſt without any Congregation, the thirtieth of October, the Legats, being in conſultation, as in the daies before, all the *Spaniards*, with ſome others, required audience, and made a new inſtance, that the inſtitution and ſuperiority of Biſhops *De iure diuino*, might be defined: ſaying, that if it were not done, they ſhould faile to do that which is iuſt and neceſſary in theſe times, for cleering of the Catholike truth, and proteſting they would aſſiſt no more in Congregation or Seſſion. This being diuulged, many Italian Prelats agreed together in the houſe of Cardinall *Simoneta*, in the Chamber of *Iulius Simoneta*, Biſhop of *Peſcara*, and came to the Legates the next morning, three Patriarkes, ſixe Arch-biſhops, and eleauen Biſhops with a requeſt, that it might not be put into the Canon, that the ſuperiority is *de iure diuino*, in regard it ſauoured of ambition, and was vnſeemely that themſelues ſhould giue ſentence in their owne cauſe, and becauſe the greater part would not haue it put in, that occaſion might not be giuen to ſpeake of the Popes authoritie, which they would, and ought to confirme. When this was knowen in *Trent*, many did beleeue that this inſtance was procured by the Legats themſelues: whereupon after Euenſong, a greater number aſſembled themſelues in the veſtry, in fauour of the Spaniſh opinion, & others in the houſe of the B. of *Modena*, for the ſame end: and there were 4. other aſſemblies in the houſes of the Arch-biſhops of *Otranto*, *Taranto*, *Roſano*, and of the B. of *Parma*. The tumult proceeded ſo farre, that the Legates were afraid of ſome ſcandall, and thought they could by no meanes hold the Seſſion at the time appointed, and that there was a neceſſitie to diſcuſſe ſome points of doctrine, and propoſe ſome matter of reformation, before they came to the reſolution of that Article which was the cauſe of ſo great a motion. And *Simoneta* complained often that he had little aſſiſtance from *Mantua* and *Seripando*, who, howſoeuer they did ſome thing, yet could not hide their thoughts, which did incline to the aduerſaries. 1562

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

Letters of credence came from the Marquis of *Peſcara*, to the principall Spaniſh Prelats, with commiſſion to his Secretarie, to vſe the ſtrongeſt perſwaſions with them, and to aduiſe them not to touch any thing in preiudice of the holy *Sea*, aſſuring them that the King would be diſpleaſed, and that great inconueniences in his kingdomes would enſue, ſaying, it could not be expected from their wiſedome that they would reſolue in any particular, before they vnderſtood his Maieſties pleaſure. And he gaue him order to aduiſe whether any of the Prelates made ſmall account of this admonition, or were refractary in obeying, becauſe it was the Kings pleaſure that they ſhould ſtand vnited in the deuotion of his Holineſſe, and ſhould diſpatch expreſſe Curriers, if there were occaſion. *Granata* anſwered, that he neuer meant to ſay any thing againſt the Pope, and thought that whatſoeuer was ſpoken for the authority of Biſhops, was for the benefit of his Holineſſe, being aſſured, that if their authority were diminiſhed, the obedience to the holy *Sea* would decreaſe alſo, though by reaſon of his old age, he knew that it would not happen in his time; that his opinion was Catholike, for which he would be content to die; that, ſeeing ſuch contrarietie, he was not willing to remaine in *Trent*, becauſe hee expected but ſmall fruit, and therefore had demaunded leaue to depart of his Holineſſe and his Maieſty, much deſiring

The letters of the Marquis of *Peſcara*.

The anſwer of the Archbiſhop of *Granata*.

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

ſiring to returne; that, at his departure out of *Spaine*, hee receiued no commaundement from the King and his Miniſters, but to ayme at the ſeruice of God, and the quiet & reformation of the Church, which he had truly performed; that he thought he had not croſſed the Kings will, though he made not profeſſion to diue into it: but hee knew that Princes, when they are requeſted, eſpecially by their Miniſters, doe eaſily content them with generall termes. *Segonia* anſwered, that his meaning neuer was to doe the Pope any ill office, but that he could not gaine-ſay his opinion, becauſe it was for the Catholike truth, nor could ſpeake more then he had ſpoken already, hauing neuer ſince ſeene or ſtudied any thing concerning that matter. Afterwards they retired all together, and ſent to the King a Doctor, of the family of *Segouia*, with inſtruction, to informe his Maieſty that neither they, nor any other Prelats could be reprehended, if they knew not how to promote the proiects of *Rome*, becauſe they could not propoſe any thing, but onely deliuer their opinion concerning that which was propoſed by the Legates, as his Maieſty did well know; that it would bee hard to interrogate them, and binde them to anſwere againſt their conſcience; that they were aſſured they ſhould offend God and his Maieſtie, if they ſhould doe otherwiſe; that they could not bee blamed for ſpeaking out of ſeaſon, becauſe they did not propoſe, but anſwere; that when they did commit any error, they were ready to correct it, according to the commaundement of his Maieſtie; that they had ſpoken according to the Catholique doctrine, in ſuch plaine termes, that they were ſure he would approue all; beſeeching him to vouchſafe to heare them, before hee did conceiue any ſiniſter opinion of them.

The anſwere of *Segonia*.

Thoſe Prelates were not deceiued in beleeuing it did proceed rather from the Miniſters, then the King. *Simoneta* vſed perſwaſions, at the ſame time, to another *Spaniſh* Secretarie of the Count of *Luna*, that the Count beeing to aſsiſt at the Councell, it was neceſſary hee ſhould come prepared, to keepe thoſe Prelates within their boundes, otherwiſe there would enſue, not onely preiudice to the Church of God, but to the dominions of his Maieſtie alſo, becauſe their principall intent was to aſſume all authoritie to themſelues, and to haue free adminiſtration in their Churches. And hee perſwaded the Secretarie of *Peſcara* to meet *Luna* on the way, and to informe him of the diſſignes and boldneſſe of thoſe Prelates, and to perſwade that it would bee good ſeruice for the King, to repreſſe them. In conformitie whereof *Varmienſe* wrote a long Letter to *Petrus Canisius* to the Emperors Court, that he would vſe the ſame perſwaſion to the Count.

The Legats vſe meanes to curbe the Spaniſh Prelats.

The doctrine collected out of the voices, deliuered in the former Congregations, being giuen foorth, they began againe to ſpeake their opinions concerning it the third of Nouember. But Cardinall *Simoneta* forewarned his adherents to ſpeake reſeruedly, and not to runne out into words of prouocation, becauſe that time did require that mens minds ſhould rather be pacified. Hauing ſpoken hereof three dayes, and returning often to the controuerſie, by reaſon of the connexion of the matter, the Legates thought it neceſſary to propoſe ſome matter of reformation, eſpecially becauſe, the Frenchmen approaching, the Biſhops of *Paris* ſaid publikely, that it was time

to

to begin to giue ſatisfaction to the *French*, and other nations, deputing ſome Prelates of each, to conſider of the neceſſities of thoſe countreyes, becauſe the *Italians*, neither in *Trent* nor in *Rome*, could know them; that vntill then no reformation had beene made, becauſe that which was decreed was to no purpoſe. But the Legates being to propoſe ſome thing of reformation, thought it neceſſary, that they might not giue occaſion of many inconueniences, to begin with Reſidence. 1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

It hath beene related already what the Pope wrote in this buſineſſe. Afterwards, the Legates and their adherents were in continuall cogitation how to compoſe a Decree, that might ſatisfie his Holineſſe, without preiudice of the promiſe which *Mantua* made to the Prelates. For to propoſe, at the firſt, the reference of it to the Pope, ſeemed contrary to that promiſe; and there was great difficultie what Decree to propoſe, which not being accepted, might giue them occaſion to returne to the buſineſſe of reference. They made a calculation of thoſe who might be drawne to their ſide, and of thoſe who were totally oppoſite, and found that the Councell was diuided into three parts, almoſt equall; that is, into theſe two, and a third, who deſired a definition to be made in Councell, without offence of his Holineſſe: of which there was hope to gaine the maior part, and ſo to ouercome the aduerſaries. Therefore they diuided themſelues, and perſwaded ſo effectually, that beſides others, they gained ſeuen Spaniards, amongſt whom were *Aſtorga*, *Salamanca*, *Tortoſa*, *Patti*, and *Elna*, the Biſhop of *Macera* labouring ſtrongly herein. Some Prelats are ouercome by practiſes.

Foure courſes were propoſed to come to the execution; one, to make a Decree, onely with rewards and puniſhments; another, that many Prelates ſhould deſire the Legates, that the buſineſſe might be remitted to the Pope, which requeſt ſhould be read in Congregation, hoping that, by perſwaſions, ſo many would come vnto them, that their number would exceed the other, by one halfe; the third that the Legates ſhould propoſe the remiſſion in Congregation; the fourth that the Pope ſhould preſently make an effectuall prouiſion, which ſhould be printed immediatly, and publiſhed euery where before the Seſſion, that the oppoſites, being preuented, might be forced to yeeld. To the firſt was obiected, that all thoſe who demanded the declaration *de iure diuino*, would be contrary, and thinke that rewards and puniſhments can not be ſo effectuall as the declaration, eſpecially there being already Decrees of Councels and Popes, which haue neuer been eſteemed: and there would be difference alſo concerning the rewards and puniſhments. That the Prelates will make impertinent demands; that, at the leaſt, they will deſire the collation of Benefices with cure. That they will demaunde the abolition of the priuiledges of the *Regulars*, and other exorbitant things; and that they ſhall euer be in danger of mutation after the propoſition made, vntill it bee paſſed in Seſſion, eſpecially when the French men come, who may demande a retractation. It was oppoſed to the ſecond, that the Prelates could not bee brought to make requeſt, without clamour; that thoſe who were not called, would diſdaine and goe to the aduerſe part; that the aduerſaries alſo would make vnions, and clamours, and complaine of the practiſes. To the third was obiected, For courſes propoſed concerning reſidence. The obiections againſt them.

1562 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

iected, that the opposites would say, that the consent was not voluntarie, but for feare of seeming to distrust his Holinesse, and because there was not libertie to speake, and if it were refused, it were as much as to call the Popes authority into question: besides it would bee said that this reference was desired by his Holinesse. Against the fourth was said, that the Popes Bull beeing not read in Councell, occasion was giuen to the Fathers to demand the definition, and if it were, it might bee feared that some would demaund a greater prouision, and so all would succeede with small reputation. Seeing so many difficulties they prolonged the businesse, which did not giue satisfaction, because it had been published, that the Fathers should speake of it. Finally, beeing forced to resolue, the sixth of Nouember, embracing that course to propose a Decree with rewards and punishments, after that some of the Fathers had spoken concerning the businesse of that Congregation, the Cardinall of *Mantua* proposed it in good tearmes, saying in substance; that it was a thing necessary, desired by all Princes, and that the Emperour had often made request for it, and complained that this point was not immediatly dispatched; and that, by troubling themselues with vaine questions, which bee of no importance, the principall conclusion hath been deferred; that this is not a matter which needeth disputation, but a meanes onely remaineth to bee found, to execute that which euery one thinketh to bee necessary; that the Catholique and most Christian Kings had made instance for the same, and that all Christendome did desire to see the prouision; that this matter was spoken of in the time of *Paul* the third, and passed ouer by some, very impertinently, with superfluous questions, which then were wisely buried in silence; that it appeareth, by the same reasons, that there is no neede to handle any thing now but that which was proposed in the Decree. And, amongst other things, hee sayd, that they were confirmed by the speach of the Ambassadour *Lansac*, who had often shewed, by good reasons, that nothing was to bee required, but that residence should be executed, and that it was to no purpose to shew whence the obligation came. Amongst other particles, there was in the Decree, that the Bishops residing should not bee bound to pay Tenths, Sūbsidies, or any other taxe, imposed by what authoritie soeuer, though at the instance of Kings and Princes. This moued all the Ambassadours very much; but *Lansac*, dissembling, complained that the Cardinall of *Mantua* had named him, without telling him of it before, granting hee had spoken so much vnto him, but as a particular friend, not as an Ambassadour. And to make his complaint the more grieuous, hee found fault also that the Catholike King was named before the most Christian. Of the Tenths hee said nothing, hoping that, by that which hee had said, and by some opposition, which the fauourers of *ius diuinum* would make, that forme of Decree would bee hindered. *Fiue Churches* said onely, that he did not beleeue that the Emperours minde was as the Cardinall had proposed. But the Secretary of the Marquis of *Pescara* demanded openly, that the words might be amended, so that they might not preiudice the grace granted by the Pope to his Catholike Maiestie, for the Subsidie of the Gallies. The Legats did beleeue they had by this meanes gained the Prelates; but after they vnderstood the exception

for

for *Spaine*, they began to say amongst themselues, that they were fauoured in that which could not bee granted. For in *Spaine* and *France*, and vnder euery other Prince they should bee forced to pay; and in the state of the Church also, with a *Non obstantibus*, the grace would bee made of no force. 1562. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The next day they passed from *Residence*, to Episcopall *Order*. And Segouia replyed, that the institution of Bishops *De iure diuino* was handled and resolued, in the same Councell vnder *Iulius* the third, with a generall consent; and that himselfe had deliuered his opinion therein, and specified the day and houre when it was. The Cardinall of *Mantua* caused the actes of that time to be searched, and that to be read by the Secretarie which was then defined to be published, expounding them so, as that hee concluded that it was neither decided, nor examined, nor proposed, in that manner, as it was said by *Segouia*. The Bishop answering, though reuerently in appearance, there passed so many replies, that they were forced to breake vp the Congregation. And because some will perhaps desire to know which of them spake with most reason, it will be fit to recite here that which was then decided in the Congregations, though not published in Session, by reason of the sudden dissolution of that Councell, before related. Three heads of doctrine were then composed, the third whereof was inscribed, of the *Hierarchie*, and of the difference of Bishops and Priests: and hauing spoken much of the *Hierarchy*, it saith thus afterwards, as it is translated *verbatim* out of the *Latine*. *Besides, the holy Synod doth teach, that those are not to be hearkened vnto, who say that Bishops are not instituted Iure diuino, it appearing manifestly, by the words of the Gospel, that* CHRIST *our Lord hath himselfe called the Apostles, and promoted them to the degree of the Apostleship, into whose place the Bishops are subrogated; neither ought hee to thinke that this, so eminent and necessarie a degree, hath beene brought into the Church by humane institution; for so we should detract from, and disesteeme the diuine prouidence, for failing in the most noble things.* These were the wordes vsed in that point of doctrine. There were noted also eight Canons; the last whereof said thus: He that shall say that Bishops are not instituted *iure diuino*, or are not superiour to Priests, or haue not authoritie to ordaine, or that this doth belong to Priests, let him be *anathema*. Euery one being prepossessed with an opinion, doth finde it in all this that is read; and it is no wonder, if each of those two Prelats did finde his owne in the same words, which the Papalins did interprete onely of the power of *Order*, and the Spaniards of all, which containeth order and iurisdiction. Yet some of the Popish Prelates did beleeue that *Mantua*, studiously faining to thinke as they did, caused the olde determination to be read, not to confirme his owne opinion, but the Spanish, which secretly he defended.

A difference betweene the Card. of *Mantua* and the Bishop of *Segouia*.

The Cardinall of *Loraine* beeing entred into *Italie*, the Pope could not denie the French-men, to cause that he should be expected. And hee wrote to *Trent*, that they should prolong the Session, yet not so as to passe Nouember. The Legates receiuing aduice that the Cardinal was vpon the *Lago di Garda*, in the Congregation of the ninth of Nouember, *Mantua* proposed the deferring of the Session vntill the 26. of the same moneth, which *Loraine* not knowing, sent *Carlo de Grassi*, Bishop of *Monte Fiascone*, and wrote letters

also

1562 Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

also to the Legates, that, if it would please them to tary for him, he would be in *Trent* within a few daies. And they resolued to make no more Congregations vntill his comming, to giue him the more satisfaction. The Bishop related, that the Cardinall did shew a good intention in all his discourses, and that hee would send his opinions to his Holinesse, that hee might see them; that the Prelats in his company came for the seruice of God, and with a good mind toward the Apostolique Sea, and did hope that their comming would make a concord in the Councel, and cause them to bee diligent in making a fruitfull reformation, without any respect of their owne interest; and many such things he said: which though they were testified by *Grassi*, and confirmed by the Ambassador *de Ferrieres*, yet the Popish Prelats did beleeue them onely in complement, and purposed to vse all the remedies, desseigned both in *Trent* and *Rome*.

The entrie of the Cardinall of *Loraine* into *Trent*.

Loraine entred *Trent*, and was met a mile on the way by Card. *Madruccio* and many Prelats, and by all the Legats at the gate of the Citie; from which place he was accompanied to the house where he was lodged. Hee rode betweene the Cardinals *Mantua* and *Seripando*, which honour they thought necessary to doe vnto him, because the same was done vnto him by *Monte*, and *Sancta Croce*, Legats in *Bolonia*, when the Councell was holde in that Citie, at the time when he went to *Rome* for the *Cap*. In the euening he went to visit the Cardinall of *Mantua*, and had audience the next day before the Legates, with the Ambassadours, *Lansac* and *de Ferrieres*. He presented the Kings letters directed to the Councell, and then made a long discourse, to shew his inclination to serue the Apostolike Sea, promising to communicate all his designes to the Pope, and to them the Legates, and not to desire any thing, but to the good satisfaction of his Holinesse. Hee sayd, hee would not bee curious in vnprofitable questions, adding, that the two controuersies, of the institution of Bishops, and of residence, which were spoken of euery where, had diminished the authoritie of the Councell, and taken away the good opinion the world held of it. For his owne part hee professed hee was more inclined to the opinion which doth affirme them *de iure diuino*, yet though it were certainely true, hee saw no necessitie, or opportunitie to proceede to the declaration thereof; that the end of the Councell ought to bee to reunite those to the Church who were separated; that himselfe had been at a parley with the Protestants, and had not found them so different, but that they may bee reduced, if the abuses were taken away, and that no time is more fit to win them then this, because it is certaine they were neuer so vnited to the Emperour, as now; that many of them, and in particular, the Duke of *Wittemberg*, was willing to assist in Councell: but it was necessary to giue him satisfaction, by a beginning of reformation, in which the seruice of God did require that their Excellencies should imploy their labour; hee shewed the desire of the King, that fit remedies might bee applied to the necessities of his people, seeing that, as hee had warre now with the *Hugonotes*, so if the abuses were not prouided against, hee should haue more to doe with the Catholiques, whose obedience will bee quite lost; that these were the causes why his Maiestie had sent him to the Councell. Hee complained that, of all the money which the Pope promised to lend the King, he

He visiteth the Card. of *Mantua*, had audience the next day, and maketh a speach.

could

could receiue but fiue and twentie thousand crownes, disbursed by the Cardinall of *Ferrara*, in regard of the limitations put in the *Mandats*, because they could not be exacted, but vpon certaine conditions, to take away the Pragmatikes of all the Parliaments of the kingdome, a thing of so great difficultie, that there was no hope euer to receiue one pennie. In the end hee said hee had brought new instructions to the Ambassadours; and therefore when he had spoken to the Synode, in the Kings name, in the first congregation, he would afterwards only deliuer his suffrage as an Arch-bishop, not medling with the affaires of the kingdome, but leauing the care thereof to them. 1562

PIVS 4. FERDINAND. ELIZABETH CHARLES 9. PHILIP 2.

The Legats answered, without consultation, as euery one thought good, commending his pietie and deuotion towards the Apostolike *Sea*, and offering to impart all their affaires vnto him. They shewed what patience they vsed in suffering the libertie, or rather the licence of Prelats, in their speeches, who went vp and downe, and mooued new questions: but now, his excellencie being ioyned with them, they doubted not but by his aduice and assistance they might be able to represse this great boldenesse, and compose the differences risen, and proceede hereafter in so comely a manner, that the world might receiue edification, which before had conceiued a bad opinion; that the euill will of the Protestants was to much knowne, who when they shew themselues not auerse from concord, then it is to bee doubted that they inuent new occasions of greater difference; that it is certaine that they haue demanded a Councell, because they thought it would bee denied them, and at the same time when they required it, they indeauoured by all meanes to hinder it, as now those, who are assembled in *Francfort*, labour that it may not proceede, and vse meanes to the Emperour to interpose some impediment, that they hate the very name of the Councell, as much as of the Pope, neither haue they formerly made any other vse of it, then to couer and excuse their apostacie from the Apostolike *Sea*; that there was no hope of their conuersion, and therefore meanes onely was to bee vsed to preserue the good Catholikes in the true faith. They commended the pietie and good intention of the King, and shewed the desire of the Pope for reformation, and what hee had done to reforme the Court, not regarding the diminution of his owne reuenues, and that hee had alwayes written to the Councell, that they would labour in the same businesse, whereunto themselues the Legates were much inclined and disposed, but were hindred by the contentions of the Prelates, which consumed almost all the time; that if in *France* there bee danger to loose the obedience of the Catholikes, it is a matter to bee treated of with his Holinesse. Concerning the loane of money, they saide the paternall charitie of the Pope towards the King and kingdome was so great, that they might bee assured that the conditions were put in for pure necessitie. And, after diuers complements, they concluded that on Munday hee should bee receiued in the generall congregation, to declare to the Fathers the occasion of his comming, and to reade vnto them the Kings letters. The answere of the Legats.

The Legates were troubled with these wordes of the Cardinall; that hee would not meddle with the affaires of the kingdome, but leaue them to the

1562 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

Ambassadours: which were not conformeable to those which *Lansac* and *de Ferrieres* had vttered a little before; saying, they were glad of the Cardinals comming, because they should be eased of all paines, all being (as they said) to depend vpon his Honourable Lordship. They concluded that they were to take heede of those dissimulations, and the rather, because Cardinall *Simoneta* had receiued certaine aduice from *Milan*, that the French Abbots, lodged in Saint *Ambrose*, said they would ioyne with the Spaniards, Dutchmen, and Vltramontanes, and treate of matters which would not please the Court. Besides, the French-men were heard to say in all their discourses, that time was not to be lost in questions, but the reformation to bee spoken of; that they ought to begin with taking away pluralitie of Benefices, and that the Cardinall would bee the first to leaue them, to giue example; that dispensations are to bee giuen *gratis*; that the *Annates*, *preuentions* and small *dates* ought to be remooued, and onely one prouision made for a Benefice: amplifying also the matter, that the Pope had a most excellent occasion to gaine immortall glory, by making the foresaid prouision, to satisfie Christian people, and to vnite, and appease them, by prouiding against these abuses and inconueniences; and that in recompense they would pay vnto his Holinesse an halfe Tenth; that they were come thither, resolute not to depart, before they had attempted to make all these prouisions, how long soeuer they taryed there; that in case they saw they could not preuaile, they would make no clamour, but returne quietly into *France*, and make the same prouisions at home. The Legats also had notice, that the Cardinall held great intelligence with the Emperour, and (which was of more importance) with the King of *Bohemia*, who were manifestly inclined to giue satisfaction to the Princes of *Germanie*, who did vndoubtedly hate the Councell, and would bee glad it might not proceede, but dissolue in some aduantagious manner for them, and dishonourable for the Apostolike *See*, and the Synode. They suspected also the Catholike King in regard of an aduice which came to the Secretarie of the Count of *Luna*, that the instruction being alreadie made in *Spaine* for that Count, it was resolued to send *Martin Gazdellone*, who had beene Secretarie to *Charles* the fift, to bring him instruction by word of mouth, which they would not commit to writing, by reason of diuers aduices which lately had come vnto them. And confronting this with another aduice receiued out of *France*, that the Cardinall of *Loraine* had, before he departed, communicated to his Catholique Maiestie the petitions hee purposed to handle in Councell, and knowing assuredly that he had beene solicited by *Germanie*, to make instance for the reformation, they doubted that the comming of that Cardinall might hatch some great nouitie, and were not pleased one iot with his speach in the audience, concerning the comming of the Dutch-men to the Counce, considering the conference he had with the Duke of *Wittenberg*. In summe, presupposing that a person of so great authoritie and wisedome would not haue come, without a sure ground to build his designes vpon, they resolued to send presently all these considerations to the Pope. And hauing obserued that whensoeuer any extraordinaries came to *Trent*, or departed, the Prelats tooke occasion to talke, to seeke out the cause, to whisper, to make a noise, and to lay plots also, which, now that the Cardinall was come,

come, might produce more dangerous effects, they diſpatched ſecretly, and wrote that order might bee giuen to the Curriers to leaue their guide and baggage at the next Poſt to *Trent*, and enter ſlowly into the Citie, with the diſpatch onely. 1562

PIVS 4. FERDINAND. ELIZABETH CHARLES 9. PHILIP 2.

The Cardinall went not into the Congregation at the day appointed, by reaſon of a ſmall feuer, which had ſeaſed on him; and therefore hee deſired they would proceede ſlowly, that he might be preſent before the reſolution. The Legates reſolued to giue him ſatisfaction, and therefore they began the Congregation later then they were wont. In which the French Biſhops and Abbats beeing preſent, a general muſter was made (the number of the Prelates beeing found to bee two hundred and eighteene) and a place aſſigned to euery one. The next day, there beeing ſome difficulty about precedence, they made a new aſſignation of places, making all the Prelates to enter into the Congregation one by one, and conducting euery one to his ſeate. In thoſe Congregations none of the Frenchmen ſpake, either becauſe they expected the Cardinall to beginne, or becauſe they were willing to ſee the manner firſt. The nineteenth of Nouember the Arch-biſhop of *Otranto* appointed a banquet at night for many Prelates, and hee that had the charge to inuite them, ſaying, that they ought not to faile, in regard of the ſeruice they might doe the Apoſtolique *Sea*, by comming thither, it was immediately publiſhed in *Trent*, that the Popiſh Prelates were aſſembled, to make a combination againſt the Frenchmen. This diſtaſted them much, and the more, becauſe after the banquet, they were aſſured that ſuch diſcourſes had been vſed at the table; and obſeruing that ſince their comming, ſome new Prelate did arriue euery day, they thought they were miſtruſted, and held to bee oppoſites. Therefore the Legates, to make ſhew of all confidence, and reſpect of honour to the Cardinall, in the Viſitations which each of them made while hee was ſicke, they perſwaded him to take ſo good an occaſion to compoſe the controuerſies which the queſtions haue made; a thing which would bee eaſie for him, and of great reputation, becauſe no man hath been able to effect it. The Cardinall ſeemed to bee willing, and offered his endeauours.

The Legats deſire the order ſhould be giuen to the Curriers to enter ſecretly into *Trent*.

A factious banquet.

The Pope, who, in thoſe dayes, had been in ſome danger, by reaſon of a great vnexpected accident, hauing recouered his health, receiued aduices from the Legates, and from diuers other places, by which the Frenchmen had paſſed, all vniformely full of their deſſeignes. Beſides, when hee was ſicke, *Monſieur de l'Iſle* vſed practiſes, and layd plottes, that, if hee had died, the Pope might bee created in *Trent* by Nations, and the *Sea* held vacant vntill the reformation were made. For ſo the Councel would bee free, and the new Pope would accept the reformation, which was eſtabliſhed before his creation. This mooued him moſt of all, as well becauſe euery man, and Princes eſpecially, are diſpleaſed, when any thing is deſſeigned to bee doneafter their death, as alſo becauſe hee was by this moſt aſſured, that the Frenchmen were reſolued to reforme the Court, and the Popedome. Theſe things, and the differences in *Trent* about the inſtitution of Biſhops and reſidence, cauſed him to hold a Congregation euery day, and hee could not forbeare to tell euery one, that hee had no buſineſſe more important, and dangerous

A plot of the French Ambaſſador whē the Pope was ſicke.

Troubleth his Holineſſe.

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

gerous to him then the Councell. And relating in Consistorie the differences in *Trent* about the institution, and the new proposition of residence, hee breake out into this exclamation, that all the Bishops beneficed by him were his opposites, and that hee maintained an armie of enemies in *Trent*. There was an opinion that hee secretly wished some good successe to the *Hugonots* in *France*, and some aduantage to the Protestants in the Diet of *Germanie*, that the Councell might be dissolued, and not by his meanes. But, beeing wholly bent to prouide remedies, he gaue order to the Bishops who were not parted from *Rome* as yet, to depart immediatly, and caused *Marcus Antonius Boba*, Bishop of *Asti*, Ambassadour for the Duke of *Sauoy*, residing with him, to goe thither also. On the other side, hee forbade the Archbishop of *Turris*, and the Bishop of *Cesena* to goe thither; the former, because hee had defended residence to bee *de iure diuino*, with more constancie then the times did comport, in the Councell vnder *Paul*; the other because hee was a familiar friend of the Cardinall of *Naples*, of whom hee doubted much, by reason of the slaughter of his two vncles, and of the executions made against his person: and hee feared, because it was sayd, that the Count of *Montebello*, father of the Cardinall, had, in his custodie, an obligation vnder his hand, by which, beeing Cardinall in the *Conclaue*, hee promised a summe of money to the Cardinall of *Naples* for his voyce to bee Pope. But howsoeuer his greatest diffidence was in the Frenchmen, yet hee thought fit to dissemble it. Hee sent into *France* fourtie thousand Crownes, the residue of the hundred thousand which hee promised. And hee caused *Sebastianus Gualterus*, Bishop of *Viterbo*, and *Ludouicus Antinori* to goe to *Trent*, who, hauing bin in *France*, had some acquaintance with some of those Prelats, and had made themselues knowen to the Cardinall, vnder colour to honour him. And hee wrote to this Cardinall and to *Lansac* letters full of complement, and confidence. Yet they thought that these men were sent to discouer the Cardinals intention, and to obserue his proceedings; and the rather because they had receiued aduice from *Rome*, that the Bishop had exhorted the Pope not to bee so much afraid, in regard the Cardinal also would find difficulties and impediments, more then he beleeued hee should, and said, that himselfe would make more to arise.

And maketh him exclaime.

He sendeth some Bishops to *Trent*, and withholdeth others.

Fearing to be accused of Simonie.

The 22. of Nouember, the Cardinall resolued to enter into the Congregation the day following; and it was agreed that the Kings letters should be read, and himselfe make a speech. But *Loraine* proposed also, that the Ambassadour *de Ferrieres* should make another. To this the Legates did not consent, because, if this had beene once permitted, both hee and all other Ambassadours, would still bee desirous to speake, and propose, with danger of making greater confusion; but, concealing this cause, they said, that neither in this Councel, nor vnder *Paul* or *Iulius*, it was euer permitted to Ambassadours to speake in Congregation, but onely when they were first receiued; and that without the Popes consent they could not yeelde to such a nouity. But *Loraine* answered, that the Kings letter, and the instruction beeing new, it might bee called a new Ambassage, and that, the first entrance. After many answeres and replies, *Loraine*, hauing giuen his word, that they should not desire to speake any more, the Legates, to giue him satisfaction,

and

and that hee might not haue cause of open distast, were contented. 1562.

Therefore the next day, the Congregation beeing assembled, the Kings letter was read, with this inscription. To the most holy and most reuerend Fathers, assembled in *Trent*, to celebrate the sacred Councel. In which hee said, that, it hauing pleased God to call him to the Kingdome, it hath pleased him also to afflict him with many warres; but hath so opened his eies, that, howsoeuer hee be yong, hee knoweth that the principall cause of the euils is the diuersitie of religion. By meanes of which diuine illumination, in the beginning of his Kingdome, hee made instance for the celebration of the Councel, in which they were then assembled, knowing that in them the ancient Fathers haue found the most proper remedies to the like infirmities; and y that he was grieued, that being the first to procure so good a worke, he had not beene able to send his Prelates with the first; the causes whereof beeing notorious, hee thought hee was sufficiently excused; and the rather, because the Cardinall of *Lorgine* was now arriued, accompanied with other Prelats: That two principall causes haue mooued him to send that Cardinall; the first, his owne great and frequent instance, to haue leaue to satisfie his duty, in regard of the place he holdeth in the Church; the second, because, being of his Priuie Councel, and exercised from his youth, in the most important affaires of the Kingdome, he knoweth the necessity thereof, better then any other, and whence the occasions doe arise; so that he will be able to make a relation vnto them, conformable to the charge which is giuen him, and demand in his name, the remedies which are expected from their wisdome, and fatherly affection, as well for the tranquility of the Kingdome, as for the generall good of all Christendome. Hee beseeched them to proceede herein, with their wonted sincerity, that they may come to an holy reformation, and that the ancient lustre of the Catholique Church may appeare, in the vnion of all Christendome in one religion; which will bee a worke worthy of them, desired by the whole world, recompenced by God, and commended by all Princes. In conclusion, for the particulars, hee referred himselfe to the Cardinall, praying them to beleeue him in whatsoeuer hee should say vnto them on his part.

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The French Kings letters.

After this the Cardinall spake. In the beginning, hee shewed the miseries of the Kingdome, deplored the warres, the demolicions of Churches, The speech of the Cardinall of *Lorraine*. occisions of religious persons, conculcation of the Sacrament, burning of the libraries, images, and reliques of Saints, ouerthrowing of the monuments of Kings, Princes, and Bishops, and expulsion of the true Pastours. And, passing to ciuill matters, hee shewed the contempt of the Kings Maiestie, vsurpation of his rents, violation of the lawes, and seditions raised amongst the people. He attributed the cause of all this to the corruption of The answere. manners, to the ruine of Ecclesiasticall discipline, and negligence in reprehending, and in vsing remedies instituted by God. Turning to the Ambassadors of Princes, he told them, that that which they doe now behold at leasure in *France*, they shall find at home, when it will be too late to repent; if *France*, tumbling downe with its owne weight, shall fall vpon places next vnto it. He spake of the vertue and good disposition of the King, the counsels of the Queene, and King of *Navarre*, and of the other Princes; but said, the princi-

1562 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

pall matter was expected from the Synode, whence the peace of God, which passeth all vnderstanding, ought to come. That the most Christian K. being assured hereof, in regard of his obseruance towards that Synode; and of his sorrow for the differences of religion, did demand two things of them. The first, that they would auoid new discords, new and vnprofitable questions, and cause a suspension of Armes amongsts all Princes and States, that scandall may not bee giuen to the Protestants, and occasion to beleeue, that the Synode doth more labour to incite Princes to warre, and to make confederations and leagues, then to keepe the vnity of peace. That King *Henry* hath first established it, and then *Francis* continued it, and that the present King, vnder age, and his mother, haue alwaies desired it; which howsoeuer it hath vnhappily succeeded, yet they might feare that the accidents of the warre would bee more vnfortunate. For all the states of the Kingdome beeing in danger of shipwracke, one cannot helpe another. Hee therefore desireth that some account may bee held of those who are gone astray from the Church, pardoning them as much as may be done without offending God, and holding them for friends, as much as is possible, euen as farre as vnto the Altars. The second request, common to the King with the Emperour and other Kings and Princes, was, that a reformation of manners, and of Ecclesiasticall discipline, should bee handled seriously; wherein the King did admonish and coniure them, by Christ our Lord, who will come to iudgement, that, if they meant to restore the authority of the Church, and retaine the Kingdome of *France*, they would not balance the incommodities of the French-men with their owne. He said he was glad, that *Italy* was all in peace, and that *Spaine* did gouerne the Helme; but that *France* was fallen, and scarce held it with one finger. Hee added, that, if they will demand, who hath caused this tempest and fortune, he can say nothing but this, that this fortune is come by our owne meanes, cast vs into the Sea. Therefore that there was need of boldnesse, and courage, to looke vnto themselues, and the whole flocke. In the end, he said, hee had ended his Legation, and, that the Ambassadours would say the rest; but himselfe and the Prelates who came with him, did protest that, after God, they would bee subiect to the most blessed Pope *Pius*, acknowledging his Primacie on earth, aboue all Churches, whose commands they will neuer refuse; that they doe reuerence the Decrees of the Catholike Church, and of the generall Synod; that they did honour the Legates, offer concorde and vnion to the Bishops, and were glad that the Ambassadors were witnesses of what they said, all for the honour of the diuine Maiestie.

The answere.

Hauing made an end of speaking, the Cardinall of *Mantua*, in few words, commending him for the pains he had taken for the seruice of God, said, that all the Synode was glad of his comming, made honourable mention of his brothers, who, in their profession, shewed no lesse readinesse in the seruice of God and the kingdome, and referred himselfe to the answere which the Arch-Bish. of *Zara*, deputed hereunto, should make, in the name of the Councell. Who said that the Synode was sorie to heare of the seditions and differences of religion in *France*, whose quiet and tranquilitie was alwaies deare vnto them, and the more then, because by the narration of his Excellencie,

they

1562.
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

they were so liuely set before their eyes, but hoped that shortly the King, imitating the vertue of his Predecessors, would be able to represse them; that the Synode will labour, by all meanes, to make the true worship of God knowne, to reforme maners, and restore tranquillitie to the Church, which end they might more easily attaine, if they were assisted by his Excellencie, and the Prelates who came with him. Hee spake largely in commendation of the Cardinall, and concluded that the Synode thanked God for his comming, and gaue him ioy of it, and offered to giue care to whatsoeuer should be deliuered by the Ambassadors, in fit time and place, not doubting, but that it would be for the glorie of God, benefit of the Church, and great dignitie of the Apostolique Sea.

The speech of *de Ferrieres* the *French* Ambassador.

Afterwards the Ambassador *de Ferrieres* spake. He began with the commendation of the Kings disposition, inclined to Religion, which appeared more by the comming and discourse of the Cardinall; by whom it might be knowne, how great care *France* did take of the good of the Catholique Church, because euery one might see that most potent reasons had induced the King to send him, in regard he had euer imployed him in his counsell, in the greatest affaires of the Kingdome; that the King could appease all the seditions in three dayes, and keepe all his Subiects in their naturall obedience, if he aimed onely at his owne good, and did not desire to maintaine the Catholique Church, and retaine the dignitie and authoritie of the Pope in *France*; for which hee exposeth to danger the kingdome, his life, and the goods of all the Grandees and Nobles. And, descending to the requests, he added, that they would not be troublesome, nor obstinate in them, that they did demand nothing but that which all the Christian world demandeth; that the most Christian King doth request that which *Constantine* the great requested of the Fathers in the Councell of *Nice*; that all his demaunds are contained in the holy Scripture, in the old Councels of the Catholique Church, and in the ancient Constitutions, Decrees, and Canons of the Popes and Fathers; that the most Christian King doth demand the restitution of the Catholique Church to its integritie, by meanes of them the Fathers, constituted by CHRIST as the chiefe iudges, not by a Decree with a generall clause, but according to the forme of the expresse words of that perpetuall and diuine Edict, against which, neither vsurpation nor Prescription can take place; so that those good orders which the diuell hath taken away by force, and concealed a long time, may be restored, as it were, out of captiuitie, to the holy city of God, and to the sight of men. He exemplified in *Darius*, who composed the tumults of *Iudea*, not by armes, but by executing the ancient Edict of *Cyrus*; in *Iosias*, who reformed Religion, by causing the booke of the Law to be read and obserued, which had beene concealed by the malice of men. Then hee spake acutely, and said, if they shall demand why *France* is not in peace, hee could answere nothing, but that which *Iehu* said to *Ioram*; How can there be peace, there remaining? and concealed the words following, but added, you know the text. Then he said, that if they doe not seriously labour in the reformation, the assistance of the King of *Spaine*, of the Pope, and of other Princes, will be in vaine, and the blood of those who perish, though iustly, for their owne sinnes, will bee required at the hands of them the Fathers.

Hee

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

Hee concluded, that, before they would descend to the particulars which they meant to demand, they desired that the things which they had begun to handle, might bee dispatched quickely, that they might, as soone as was possible, apply themselues to other matters of more weight, and of greater necessity in that time. The biting liberty of this Ambassadour did no lesse displease, then that of his colleague *Pibrac*, at their first comming to *Trent*; but the feare they had of the French-men made them forget all.

The next day the Congregations were continued; and the first was all spent by Friar *Iaspar* of *Casal*, Bishop of *Liria*; who to informe the Cardinall of *Loraine* of all the reasons of the *Spaniards*, did recapitulate, with great eloquence, whatsoeuer they had said in this matter; hee added besides, that nothing was more in fauour of the *Lutherans*, then to say that Bishops are instituted by the Law of man; that by this meanes, their nouitie is approued, in making Preachers, or Predicants, or Ministers to gouerne the Church, in stead of Bishops instituted by CHRIST. He said that to him, that readeth the Epistles of Saint *Gregorie*, to *Iohn* of *Constantinople*, and to others against him, for calling himselfe Vniuersall Bishop, it doth plainely appeare, that it cannot be said, that the institution of the Pope is from Christ, if it be not said that the institution of Bishops is from him also.

The Cardinall of *Loraine* made a congregation of Prelats and French Diuines in his owne house, to vnderstand their opinion concerning the Iurisdiction of Bishops; in which it was vniformely resolued amongst them, that they did receiue it from GOD, and that it did belong vnto them *iure diuino*. And this singularitie of congregation was vsed afterwards by the Cardinall in all occurrences, to the great distast of the Papalins, who said hee helde a Councell apart, and feared that the Spaniards would imitate the example, which might in time make a manifest schisme, as it happened in the first Councell of *Ephesus*, by the congregations which the *Egyptians* and *Syrians* helde apart. But the Papalins had, amongst the Spaniards, *Barthomeus Sebastianus* Bishop of *Patti*, who, a Spaniard by nation, because hee had a Bishopricke in *Sicilie*, had great intelligence in *Rome*, and had discouered all the Spanish practises and counsels. Amongst the Frenchmen, about the time when the Cardinal of *Loraine* put himselfe in order for the iourney, the *Nuncio* in *France* did gaine *Iacobus Hugonius*, a Franciscan Friar, a Diuine of the *Sorbone*, elected by the Cardinall for his company; with whom hee had some cause of acquaintance because he was constituted Proctour for the Councell, by *Ioannes Vrsinus*, Bishop of *Trignier*; whereof he sent newes to *Rome*, and addressed him for correspondence in *Trent* with his letters to *Laurentius Roterella* Bishop of *Ascoli*. But *Simoneta* was not willing to put such confidence in that Bishop, nor would suffer him to know the intelligence which was to be helde with that Diuine. Therefore when *Loraine* was neere vnto *Trent*, he caused the Bishop of *Ventimiglia* to send another Friar of S. *Francis*, called *Pergola*, to meet *Hugonius*, to tell him, from him, that hee was informed by the *Nuncio* of *France*, of a letter which he brought to the Lord Bishop of *Ascoli*, who had written also vnto him that hee should speake with him before he did deliuer it. *Pergola* did this businesse cunningly, so that the Diuine promised to doe so, and accordingly went to *Ventimiglia* a fewe dayes after hee

The Papalins are distasted with ỹ *French* congregations.

Iacobus Hugonius betrayeth the French Prelates.

came

came to *Trent*; and after that they knew one another, and the tokens that they were to treat together, the Friar made him a relation of the ſtate of all things, and ſaid, that the ruine of the kingdome did eſpecially proceed from the Queene, who fauoured the heretiques, as himſelfe ſaw plainly, in the diſputations which hee often had with them in her preſence. Concerning the Ambaſſadours in *Trent*, he ſaid they were corrupted alſo. The Cardinall he helde to be a good Catholike, but inclined to impertinent reformations of Eccleſiaſticall *Rites*, of the vſe of the Cup, of taking away images, of bringing in the vulgar tongue, and ſuch other things, whereunto hee was perſwaded by the Duke of *Guiſe* his brother, and others of his kinred, and that the Queene, at his departure, had effectually perſwaded him to it, and giuen him twentie thouſand crownes. Hee ſaid that amongſt the Biſhops there were three of the ſame faction, but, aboue all, that the Biſhop of *Valence* helde intelligence with the Queene, and was ſent expreſſely by her, as the prime man to whom the Cardinall was to beare reſpect. In the end, they ſet downe an order how to meete, and treat together. *Ventimiglia* gaue him fiftie crownes in golde, as the Legats had appointed, which at the firſt hee refuſed to accept; but *Ventimiglia* perſwaded him with good termes to bee content. Notwithſtanding himſelfe did not take them, but called his ſeruant, who was with him, and gaue him order to keepe them in the name of his religion. 1562 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

I haue often rehearſed, and continue ſtill, many particulars, which I am ſure many will thinke not worthy of mention, as I haue thought my ſelfe; but finding them preſerued, and noted in the memorials of thoſe who were preſent in the actions, I perſwade my ſelfe, that for ſome reſpect, vnknowen to me, they haue deemed them worthy of commemoration; and therefore, according to their iudgement rather then mine owne, I haue thought fit to relate them. Perhaps ſome ſharpe wit may diſcouer in them ſome thing which is not penetrated by me, and thoſe who doe not eſteeme them will loſe but a little labour in reading them.

The ſixe and twentieth of Nouember, deſtinated for the Seſſion, Cardinal *Seripando* propoſed in Congregation, that it might be deferred, in regard the Decrees which they were to publiſh were not eſtabliſhed. And he admoniſhed the Prelats of their long diſcourſes, by meanes whereof they could not determine any certaine day for the Seſſion, which therefore was neceſſarily to be deferred during pleaſure. Hee tolde them that many of them ſpake of abuſes, not remembring that to ſpend ſo much time, in vaine diſputations, without any fruit, was the greateſt abuſe of all, which was neceſſarily to be taken away, if they deſired to ſee the end of the Councell, with edification. *Loraine* confirmed the ſame, and exhorted the Fathers to leaue thoſe queſtions, which were nothing to the purpoſe in that time, and to be briefe and diligent in diſpatching the things already propoſed, that they may come to things of more importance and neceſſitie. Many of the Prelates did not conſent that the Seſſion ſhould be deferred during pleaſure, and required a determinate time. To whom it being replyed, that it was not poſsible, becauſe they knew not when they ſhould end the matter now in hand, which was ſo much controuerſed amongſt them, it was concluded that the determinate

1562 minate time ſhould bee ſet downe within eight dayes.

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The ſame day the Senator *Molines* arriued, ſent by the *Marquis* of *Peſcara*, to renew and giue ſtrength to the perſwaſions, vſed to the Spaniſh Prelates, in fauour of the Pope, which hauing beene made by the Secretarie reſident, had done no good. Hee brought new letters of credence to them all from the *Marquis*, and laboured with great diligence. Which wrought a contrary effect. For the Prelates did interprete it to bee a practiſe of the Cardinall of *Arragon*, brother of the *Marquis*, without any expreſſe commiſſion from the King. It appearing now that the further they proceeded about this point of the inſtitution, the more difficultie did ariſe, the Ambaſſadours of *France* vſed meanes, that a temper might be found, that they might rid themſelues of thoſe ſuperfluities and come to the buſineſſe of the Reformation, that they might know what they might hope for from the Councell. And the Biſhop of *Niſmes* tolde them, when he gaue his voice, that if the Fathers were delighted to decide a curioſitie, which in concluſion will be nothing but words, yet they ought not to entertaine others with it, but deferring it vntill another time, to handle that now which is more neceſſary. *Diego Couarruuias*, Biſhop of *Citta di Rodrigo*, who ſpake after him, excuſing the Fathers for ſpending time in that queſtion, ſayd, that, it hauing been propoſed by the Lords the Legates, the Prelates could not chooſe but deliuer their opinions. Wherewith Cardinall *Simoneta* beeing mooued, did denie that the propoſition was made by them; and *Seripando* did ſecond him more fiercely, and ſaid, that themſelues aſſuming too much licence, did not thinke it ſufficient to diſcourſe of the ſuperioritie of Biſhops which was propoſed, but had ſet on foote alſo the other of the inſtitution, and added *Ius diuinum* vnto them both; and not contented with the patience vſed in ſuffering them to ſay what they wil, they began alſo to lay the blame vpon the Legats. He ſharpely reprehended their too much libertie in entring into theſe queſtions, & their boldneſſe in treating of the Popes power, vainely and ſuperfluouſly repeating the ſame things, more then tenne times, ſome alſo vſing friuolous reaſons, and fooliſh, vnworthy of that aſſembly. And, in the progreſſe of his ſpeach, perceiuing he had been too bitter, he began to ſet them downe a forme how euery Prelate ſhould giue his voyce in Councell. Speaking of the queſtions propoſed, he ſhewed that both the oppoſite opinions were probable, and that in caſe that *de iure Diuino* had more probabilitie, yet it was not a thing to be decided in Councell. He could not by this meanes pacifie the mindes of many that were moued; neither did he abſolutely pleaſe the Cardinall of *Loraine*, who made all poſſible demonſtration to gaine a good opinion. For he made meanes to know the men, and to informe himſelfe what was poſſible to be done, that he might not vndertake the buſineſſe before hee knew it would ſucceed; and he affected alſo to be the man who ſhould compoſe the differences, and be iudge of the queſtion. For diſpatch of the matter, a propoſition was made to depute ſome Prelates of euery nation, as it were to compromiſe the reſolution by them. But it could not be done, becauſe the *French* and *Spaniards* deſired an euen number of euery nation, and the *Italians*, as they were more in number then the others, ſo they would haue a greater number in this deputation. *Simoneta* was the firſt to oppoſe this propſition,

proposition, for feare of reuiuing the custome of the Councell of *Basil*. 1562

At this time a new matter of contention was prepared. For the Count of *Luna* gaue the Legats to vnderstand, that hee was to come to *Trent* Ambassadour of the King of *Spaine*, and not of the Emperour, but would first knowe what place would bee allowed him. The Legates called the French Ambassadours, and told them of it, desiring them to finde some meanes to compose the difference for precedence. They answered that they were not sent to compose differences, but to hold the place due, and alwayes granted to their King; that they meant not to preiudice the King of *Spaine* in any thing belonging to him, but to doe him all honour and seruice, as being a cousin, and a friend to their king, and that they had charge, if their place were not giuen vnto them, to make protestation of the nullitie of the actes of the Councell, and to depart with all the French Prelates. The Card. of *Mantua* proposed this course, to make the Spanish Ambassadour set apart from the others, ouer against the Legates, or vnder the Ecclesiasticall Ambassadors, or vnder the secular Ambassadours. But the Frenchmen were contented with none of these courses, saying that by all meanes hee should haue his place after them, and no where else.

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

A question about precedence betweene *France* and *Spaine*.

In the Congregation of the first of December *Melchior Auosmediano*, Bishop of *Guadice*, speaking of that part of the last Canon, where it was determined that Bishops, called by the Pope, are true and lawfull, said, that the manner of expressing it did not please him, because there were also Bishops not called by the Pope, nor confirmed by him, who notwithstanding were true and lawfull. For example, hee brought foure suffragans, elected and ordained by the Archbishop of *Salzburg*, who take no confirmation from the Pope. Cardinall *Simoneta* did not suffer him to proceed, saying, that whatsoeuer the Bishop of *Salzburg*, or other Primats did, was all by the Popes authoritie. Friar *Thomas Castello*, Bishop of *Caua*, and the Patriarke of *Venice*, stood vp both at once, and said that hee ought to be put out of the Councell, as a schismaticke. And *Egidius Falceta*, Bishop of *Caurle*, cryed aloude, Out with the schismaticke. And there followed a great noise amongst the Prelats, as well of whispering, as of feete, partly in offence of the Prelate that gaue his voice, and partly in defence: which gaue but small satisfaction to the Prelats beyond the mountaines. The Cardinall of *Loraine* was displeased, but made no demonstration of it; and the Legats did hardly appease the stirre, by making others proceed who were to speake in that congregation; which being ended, the Cardinall of *Loraine* said, in presence of many of the Popish Prelats, that the insolencie had beene great, that the Bishop of *Guadice* had not spoken ill, and that, if hee had beene a Frenchman, hee would haue appealed to another Councel more free, and that in case prouision were not made that all might speake freely, the Frenchmen would returne, to make a Nationall Councell in *France*. And indeed it was found that the Bishop had not spoken ill, and the Canon was corrected; for whereas it said, The Bishops called by the Pope of *Rome*, it was altered thus, The Bishops assumed by authoritie of the Pope of *Rome*.

The Bishop of *Guadice* causeth a great stirre in the Councell.

The Card. of *Loraine* sayth the Councel was not free.

The next day, in which they were to determine the last time for the Session, the Cardinall of *Mantua* proposed, that it might be prorogued vntill

the

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

the seuenteenth; and if, in the meane while, the Decrees of reformation, belonging to the matter which was handled, could not be put in order, it should be deferred vntill the next Session. The Cardinall of *Loraine* consented for that day, but with condition, that the whole matter might be handled, and nothing deferred vntill the next Session, in which it was necessary to beginne the generall reformation. The Arch-bishop of *Prague*, *Fiue Churches*, and the *Orator* of *Polonia*, agreed in the same opinion. And, after much contention, betweene those, who (as the Bishop of *Nismes* had said) would haue those questions deferred vntill another time, and others, who would haue them decided, it was resolued to appoint the Session for the day aforesaid, with order, that, to dispatch all the matter, they should hold two Congregations euery day, and if they would not decide all, yet they should publish those Decrees which could bee made by that time, deferring the vndecided points vntill another, handling the reformation in the next Session, before they entred into matter of doctrine. *Mantua* did also reprehend the noise made with feete, and words, the day before, concluding that, if heereafter they would not speake with that respect and reuerence which might beseeme their owne dignity, the presence of them the Legates, who represent his Holinesse, and of the Cardinals and Ambassadours, who represent the Princes, they would goe out of the Congregation, that they might not endure so great disorders. The Cardinall of *Loraine* commended the admonition, and said, that as the Legates ought not to goe out of the Congregation for any occasion whatsoeuer, so it was most iust that the perturbers of it should be punished. The Bishop of *Cana* would neither excuse himselfe for that which he had said, nor receiue the admonition with silence, though it was in generall, but saide, that the causes ought to bee remooued, that the effects might cease; that if the words of the Bishop of *Guadice* had offended his owne person, he would haue indured it, for christian charitie, which as it requireth patience in wrongs committed against ones selfe, so it maketh men sensible of the iniuries done vnto Christ, whose diuine Maiestie is offended, when the authoritie of his *Vicar* is touched; that hee had spoken well, yea as well as might be, and confirmed the same with other words of the same sence, which were generally condemned of petulancie.

The suffrage of the Bishop of *Aliffe* concerning the institution of Bishops.

Iacobus Gilbertus, of *Noguerus*, Bishop of *Aliffe*, in deliuering his voice, said, that, concerning the institution of Bishops, one could not speake with better ground, then considering well and vnderstanding the words of Saint *Paul* to the *Ephesians*. For as it is most true that Christ did rule the Church with an absolute gouernement, while he liued in mortall flesh, as others had iudiciously said, so it was a great vntruth which was added, that is, that, being in heauen, hee hath abandoned the same gouernement, yea he doth exercise it rather more then before. And this is it which he spake to his Apostles, at his departure; *I am with you vntill the ende of the world*; adding also the assistance of the holy Ghost; so that now also not onely the inward influence of graces commeth from Christ, as from the Head, but an externall assistance also, though inuisible to vs, which doeth minister occasions of saluation to the faithfull, and drieth away the temptations of the world. Notwithstanding, besides all these things, hee hath instituted also some members of the

Church

Church for Apoſtles, Paſtors, &c. to defend the faithfull from errours, and to direct them to the vnitie of faith, and knowledge of GOD. And vpon theſe he hath beſtowed a gift, neceſſarie for the exerciſing of this holy office, which is the power of iuriſdiction, which is not equall in all, but ſo much as euery one hath, is giuen him immediately by CHRIST. Nothing is more contrarie to Saint *Paul*, then to ſay, that it was giuen to one onely, to impart it to whom he liſted. It is true that it is not equall in all, but according to the diuine diſtribution, which, as Saint *Ciprian* ſaith, that the vnitie of the Church might bee preſerued, did ordaine, that the ſupreame ſhould be in *Peter* and his ſucceſſors; not that it ſhould bee abſolute, and, according to the Prouerbe, that the will may bee a law, but, as Saint *Paul* ſaith, for edification of the Church onely, not for deſtruction: ſo that it cannot bee extended to abrogate lawes, and Canons, made by the Church, for a foundation of gouernement. And heere he began to alleadge the Canons cited by *Gratian*, in which the ancient Popes doe confeſſe themſelues to bee ſubiect to the Decrees of the Fathers, and to the conſtitutions of their predeceſſors. 1562. PIVS 4. FERDINAND. ELIZABETH. CHARLES 5. PHILIP 2.

The Cardinall *Varmienſe* interrupted him, and ſaide, that the ſubiect to ſpeake on was the ſuperioritie of Biſhops; ſo that his diſcourſe was beſide the matter. The Biſhop anſwered, that the authoritie of Biſhops being handled, it was neceſſarie to ſpeake of that of the Pope. And *Granata* ſtood vp, and ſaid, that others had ſpoken of it ſuperfluouſly, not to ſay perniciouſly, meaning *Laynez*, and therefore that *Aliffe* might ſpeake of it likewiſe. The Biſhop of *Caua* ſtood vp, and ſaide, that others had ſpoken of it, but not in that manner; and whiſperings beginning to ariſe amongſt the Prelats, *Simoneta* made a ſigne to *Caua* to hold his peace, and admoniſhing *Aliffe* to ſpeake to the point, he quieted the noiſe. But hee continuing to alleadge the Canons, as hee had begun, *Varmienſe* interrupted him againe, not ſpeaking vnto him, but making a formall diſcourſe to the Fathers, concerning that matter. He ſaid the heretikes pretend to proue, that Biſhops, elected by the Pope, are not true and lawfull, and that this is the opinion which ought to be condemned; but whether true Biſhops are inſtituted *iure diuino*, or not, there is no difference betweene the heretikes and the Catholikes; and therefore the queſtion doth not belong to the Synod, which is congregated only to condemne the hereſies. He aduiſed the Fathers to abſtaine from ſpeaking things which might giue occaſion of ſcandall, and exhorted them to leaue theſe queſtions. *Aliffe* deſired to replie; but *Simoneta*, with the aſſiſtance of ſome other Prelats, did pacifie him, though with ſome difficultie. And after him ſpake *Antonius Maria Saluiati*, Biſhop of Saint *Papulo*; who ſaide, that all were aſſembled for the ſeruice of GOD, and proceeded with a good intention; though ſome one way, and ſome another. And, hauing ſaide many things which ſerued partly to accord the opinions, but principally to reconcile their mindes, was a cauſe that the congregation did quietly ende, and that words of humanitie and reuerence did paſſe betweene the Cardinall and the Biſhop.

The fourth of December, the Cardinall of *Lorraine* deliuered his opinion concerning the ſame matter, and ſpake at large, ſaying, that iuriſdiction was giuen by God immediately to the Church. He alleadged the place of Saint *Auſtin*, The ſuffrage of the Card. of *Loraine*.

1562 *Austin*, that the keyes are giuen to *Peter*, not vnto one person, but vnto the vnitie, and, that *Peter*, when CHRIST promised him the keyes, did represent all the Church, who if he had not beene a Sacrament, that is, representing the Church, CHRIST would not haue giuen them vnto him. And hee shewed a great memorie in reciting the places word by word. Then he said, that that part of iurisdiction which is ioyned with Episcopall order, the Bishops doe receiue immediately from God; and declaring in what it doth consist, amongst other things, hee specified, that power of excommunication is contained in it, inlarging himselfe much in the exposition of that place of Saint *Matthew*, in which CHRIST doth prescribe the manner of brotherly correction, and iudiciall of the Church, with authoritie to separate the disobedient from the bodie thereof. Then hee disputed against that opinion, alleadging diuers reasons taken out of the words of CHRIST, spoken to Saint *Peter*, and from the exposition which S. *Leo* the Pope doth giue vnto them, in many places. He exemplified in many Bishops who had acknowledged all their iurisdiction to come from the Apostolike *Sea*, and spake with so much eloquence, and in such sort, that it could not clearely bee discouered, what his opinion was. Afterwards he said, that Councels had authoritie immediately from God; alleadging the wordes of CHRIST, Where two or three shall bee assembled in my name I will be in the middest of them, and the Councell of the Apostles, which ascribeth the resolution to the holy Ghost; & the stile of all Councels, in saying they are congregated in the holy Ghost; and, in particular of that of *Constance*, which saieth plainely, that it hath authoritie immediately from CHRIST. But hee added, that speaking of Councels, his meaning was that the head should bee ioyned with it, and that nothing was of more seruice for the vnion of the Church, then to confirme well the Popes authoritie; that himselfe would neuer consent to determine any thing in diminution thereof, and that all the Prelates and Cleargie of *France* were of the same opinion. And returning to the institution of Bishops, and speaking still with the same ambiguitie, hee concluded in the ende, that the question was boundlesse. Afterwards hee exhorted the Fathers to leaue it, and himselfe gaue a forme to the Canon, in which the wordes, *iure diuino*, were omitted; and, instead of them, it was said, *Instituted by* CHRIST.

PIVS 4.
FERDINA. D.
ELIZABETH.
CHARLES 9.
PHILIP 2.

The French Prelates, who spake then after *Loraine* and the dayes following, vsed not the same ambiguitie, nor the same respect towards the Apostolike *Sea*, but maintained openly, that the authoritie of Bishops was, *de iure diuino*, alleadging the reasons, deliuered by the Cardinall, and expounding them; who howsoeuer, while they spake, leaned his head vpon his hand, as if he had beene displeased, yet they noted him for ambition, as if he had purposely procured a Comment to bee made vpon his opinion. But the Spaniards were not satisfied with the French-men, though they did openly defend their opinion, as well because the Cardinall had spoken ambiguously, as for that hee and the other Prelates did not holde the institution and superioritie of Bishops *de iure diuino* to be necessarie to bee determined in Councel, but rather that it ought to bee omitted. And they were more displeased with the forme of the Canon, proposed by the Cardinall, in which the words, *de iure diuino*,

diuino, were left out, howsoeuer, more for their satisfaction, then for any other respect, these words were put in, That they are instituted by CHRIST. 1562. PIVS 4. FERDINANDI ELIZABETH. CHARLES 9. PHILIP 2.

The *Frenchmen* and *Spaniards* had the same end, to prouide against the ambition and auarice of the Court, which did domineere at their pleasure, with precepts, vnprofitable, and of no fruit, and drew a great quantitie of money from Christian nations, by collation of Benefices, and dispensations. But the *Spaniards* iudged, in regard of the deuotion which the people of their Countrey beare to the Pope, and of the inclination of the King, and of his counsel, abhorring nouities, if this had been done directly, and openly, it would haue raised a scandall, and could not haue been effected; and that the Pope would easily haue interposed so many difficulties with the Princes, that they should neuer haue been able to come to the declaration thereof; but that according to the custome of that nation, they ought to take their aime afarre off, and, by declaring that iurisdiction and residence are from CHRIST, and *de iure diuino*, to put that order in reputation with the people, to withstand the violent courses which the Court of *Rome* might take against their persons, that so, in progresse of time, they might haue meanes to reforme the Churches, for the seruice of GOD, and tranquillity of the people, restoring the libertie vsurped by the Romans.

But the Frenchmen, who by nature doe proceede openly, and with passion, esteeme these artes vaine. They sayd, there would not want meanes at *Rome* to make them vnprofitable, and that they required so much time before they could be brought to effect, that no good hope could bee conceiued of them; that the true meanes was, without art, directly and plainely to rush downe the abuses, which are too cleare and manifest, and that there was no greater difficultie to obtaine this which was the principall end, then there was to obtaine the pretence, which, beeing obtained, would bee as much as nothing. And their counsels were no lesse different in another particular also. They all agreed, in iudging it necessary that the execution of the Decrees of the Councel should bee so firme and stable, that it might not bee altered. But there was some difference betweene the Frenchmen and Spaniards, about the manner how to order that the Decrees of that Councel might neither bee derogated from, nor altered by the Pope, by *dispensations*, *non obstanties*, and such other clauses of *Rome*. And therefore the Frenchmen disseigned that the superiority of the Councell aboue the Pope should bee decided, or a constitution made, that the Decrees thereof could neither bee derogated from, nor dispensed with, which would bee an absolute remedie. The *Spaniards* thought it a hard point, and therefore not to be attempted, because the Pope would alwayes bee fauoured by Princes, when hee should complaine that his authority was diminished, and would bee assisted by the greater part of the *Italian* Prelats, in regard of the dignity of their Countrey, and for many priuate interests. And, for themselues, they thought it sufficient that the Councell should make the Decrees, purposing afterwards to obtaine a *pragmatique* from the King vpon them, by which meanes they would so bee established, that the Popes dispensations to the contrary could not enter into *Spaine*.

1562

Pius 4. Ferdinand

Elizabeth. Charles 9. Philip 2.

The Legates send the proposition of the Card. of *Loraine* to *Rome*.

Wherwith he is displeased.

The Legates dispatched an expresse Currier, with a copie of the proposition of the Cardinall of *Loraine*, and of the animaduersions of some Canonists made vpon it, shewing that the Papall authority was in question, demanding that order should bee sent them what to doe. Whereof the Cardinall, when he knew it, was very sensible, and complained that hauing giuen the copie before hee spake in the Congregation, and the Legates seeming to bee pleased, they had afterwards shewed so much distrust of him. He said hee thought it strange, that feare was apprehended by euery thing that either himselfe, or any of the French Prelates said, or did. Hee complained that his Nation was wronged by the Italians, affirming, that, with his owne eares, hee had heard some Italian Prelates scornefully vse that scurrile prouerbe, which was already made common throughout all *Trent*, that is, That *from the Spanish scabbe, we are fallen into the French Poxe*: of which the other Frenchmen did complaine vpon euery occasion, and the Spaniards also. Whose complaints, as the custome is, did more incite the curious; and the suspicions and diffidences betweene the Nations did, with very great danger, encrease: neither were the Legates and wiser sort of Prelates able to stop the motion, though they opposed both with authoritie and with perswasions.

A disgracefull prouerbe in *Trent*.

The Frenchmen, being prouoked, did resolue to make proofe of their libertie, and agreed that, in the Congregation of the seuenth day, the Cardinall of *Loraine* should not bee present, and that their Prelates who were to speake should vse freedome, and that, if they were reprehended, their Ambassadours should protest; and *Lansac*, that they might knowe it and beware, in presence of many of them, sayde to *Antonius Lecius*, Bishop of *Orange*, one of the speakers, that hee ought to speake freely, and without feare, and that the Kings protection was sufficient to maintaine him. This beeing reported to the Legates, was a cause that they were heard with much patience, though they said that the institution and iurisdiction of Bishops was *de iure diuino*, as well as that of the Pope, and that there was no difference, but in degree of superioritie, and that the Popes authority is confined within the limits of the Canons, relating, and commending the stile of the Parliaments of *France*, that, when any Popes Bull is presented which containeth any thing contrary to the Canons receiued in *France*, they pronounce it to bee abusiue, and forbid the execution. This libertie made the Papalins vse more respect in their speaches, though the prouerbe pleased them so well, that sometimes some of the merrie Prelates could not forbeare to vse it.

The French opinion concerning the Popes authoritie.

The death of the King of *Nauer* made a great change in *Trent*, and in *France*.

The pretence for the absence of the Cardinall of *Loraine*, was the aduice of the death of the King of *Nauarre*, which came to *Trent* that day. This Prince, wounded with a bullet at the siege of *Roan*, in September, was neuer well cured, and, at the last, died. Neere vnto his death, hee receiued the Communion after the Catholique manner, at the perswasion of his Physitian *Vicentius Laurus*, and afterwards wauered towards the doctrine of the Protestants, and so died the tenth of Nouember. This accident made a great mutation in the Councel; and *Loraine* did suddenly change all his designes. For that King had a principall hand in the Commissions giuen to

the

the Cardinall at his departure, ſo that hee was vncertaine whether, after his death, the Qeene, and others, would continue in the ſame heat. Beſides, he ſaw a manifeſt change in the whole gouernement, and therefore deſired to bee in *France*, that himſelfe might beare part of it alſo. For the Prince of *Conde* beeing in open diſſention, diſtruſting the Queene and thoſe who had power with her, the Cardinall of *Bourbon* vncapable, *Montpenſier* in ſmall credit, the *Conſtable* old, of whom many alſo were emulous, hee had a great conceipt that his brother might bee the Chiefe for Armes, and himſelfe for counſel. And hee ruminated theſe things in his minde, thinking but little of the Councel, and of *Trent*, where hee was. The other French-men ſaide openly, they ought to thanke God for the death of the King, becauſe he beganne to wauer, and to ioine his owne intereſts with thoſe of his brother, and of the other *Hugonots*. 1562

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The next day, being the eight of December, was all ſpent in ceremonies, for the election of *Maximilian* King of the Romanes. The Arch-biſhop of *Prague* ſang the Maſſe of the holy Ghoſt, with the aſſiſtance of the whole Councel: the Biſhop of *Tininia* made a ſermon, in commendation of the Prince, and the Cardinals and Ambaſſadours were inuited by *Prague*.

So ſoone as the Diet was aſſembled in *Francfort*, the Prince of *Conde* ſent, not onely to demand aſsiſtance from the Proteſtant Princes, but alſo to treat an vnion of the *Hugonots*, with thoſe of the Confeſſion of *Ausburg*; and, in particular, to make a ioynt demand for a free new Councel, in which the reſolutions of *Trent* might be examined, the French-men of the old Catholique religion giuing hope alſo that they would agree vnto it, becauſe it had beene promiſed to the Ambaſſadour of *France*, (who afterwards was created Cardinall *della Bordiſiera*) that it ſhould be done. But the Dutch Proteſtants were moſt auerſe from the Councel, ſo long as *Germany* might bee in peace without it. And therefore a booke was printed in *Francfort*, full of excuſes, and reaſons, why they neither would, nor could come to *Trent*, with proteſtation of the nullity of all that was, and would bee done in that place.

The coronation of the K. of *Bohemia*.

The King was firſt anointed, and crowned King of *Bohemia*, in *Prague*, in preſence of his father, the Emperour, by that Arch-biſhop who went from *Trent* into *Bohemia*, to performe that ceremony, that the King might haue a voice in the Imperiall Diet. Beeing come to *Francfort*, they were forced to expect vntill the Canons of *Colen* had elected their Arch-biſhop, becauſe that Sea was then void; ſo that the Princes had much time to handle many matters, expecting ſtill in that place, that the number of ſeuen might be full, by the coronation in *Bohemia*, and the election in *Colen*. They were troubled in *Rome* with theſe things, and afraid, that the Diet would ſend to *Trent*, to proteſt, and that ſome new forme would bee vſed in the coronation, and the old aboliſhed, which would ſhew an inclination to depart from the ancient rites; or that ſome promiſe would be made, by the new King, preiudicall to the Popes authoritie. But the Emperour, and the King, vſed much art to diuert the handling of points of religion before the Election, which was made the 24. of Nouember, and the coronation the laſt of that moneth. In which the Electors, and other Proteſtant Princes ſtood

The election of the K. of the Romans.

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

at the *Masse* vntill the Gospel was read, and then they went foorth. This onely was new. But the Popes *Nuncio* tooke place aboue the Electours and Ambassadours. The coronation being past, the Emperour beganne to practise with some of the Protestants, that they would adhere to the Councel of *Trent*; who, not to bee preuented, assembling themselues together, presented to the Emperour the answere, promised 20. moneths before to his Ambassadours, in the assembly at *Namburg*, which was deferred vntill then. In which, hauing declared the causes why they had, in many Imperiall Diets, appealed, and did appeale againe vnto a free Councel, they added the conditions, which they held to bee necessary, with which they offered to assist in a future generall Councel. 1. That it should bee celebrated in *Germanie*. 2. That it should not be intimated by the Pope. 3. That hee should not preside, but bee part of the Councel, subiect to the determinations thereof. 4. That the Bishops and other Prelates should bee freed from their oath giuen to the Pope, that they may freely, and without impediment, deliuer their opinions. 5. That the holy Scripture might be iudge in the Councel, and all humane authority excluded. 6. That the Diuines of the States of the *Augustan Confession*, sent to the Councel, might not onely haue a consulting, but a deciding voice also, and might haue a Safe-conduct, both for their persons, and for the exercise of their religion. 7. That the decisions in Councel, should not be made, as in secular matters, by pluralitie of voices, but the more sound opinions preferred, that is, those which were regulated by the word of God. 8. That the acts of the Councel of *Trent* should be made void, because it is partiall, celebrated by one part onely, and not gouerned according to promise. 9. That if a concord in religion cannot be concluded in the Councel, the conditions of *Passau* may remaine inuiolable, as also the peace of religion, made in *Ausburg*, in the yeere 1555. may continue in strength, and force, and euery one bound to obserue it. 10. That, concerning the foresaid conditions, a fit and sufficient caution be giuen. The Emperour, hauing receiued the writing, promised to labour for concord, and to vse meanes that the Councel may be celebrated, where they cannot refuse, with reason, to assist, so that on their part they would lay aside hatred and passion, which are contrary to Christian peace. And, to this end, he offered to goe in person to *Trent*, and resolued to passe to *Isprue*, so soone as the Diet was ended, where beeing distant from *Trent* but foure small daies iourney, hee might, in a short time, effect whatsoeuer was necessary.

Conditions required by ỹ Protestants of *Germany* before they wold assist in Councel.

But in Councell the Prelates hauing made an end of giuing voices concerning the Institution, so much discussed, no resolution was made, because the Legates did expect it from *Rome*: But they gaue foorth the Cannon of Residence, hauing first imparted it to the Cardinall of *Loraine*, which was, as was said before, without the declaration whether it was *de iure Diuino*, or no, but with rewards and penalties. And *Loraine*, giuing his voice first, said it was necessarie to grant power to the Bishops to absolue from cases reserued *In cœna Domini*: which he protested hee spake, not to diminish the authoritie of his Holinesse, but because, hauing seene in *France* that no transgressour thereof did care to goe or send to *Rome* for absolution, he thought it worse, both for the soules of the people, and for the dignitie of the Apostolique Sea, to

leaue

leaue them in thoſe cenſures. He added alſo that hee thought it not fit ſo to tye Biſhops to reſidence, that they might not be abſent for iuſt cauſes, which were to be referred to the iudgement of his Holineſſe. Hee ſaid moreouer, that the publike emploiments in the affaires of Kingdomes, and republikes, were to be accepted, becauſe they ſeeme not to be aliene from the Epiſcopal charge, eſpecially in Kingdomes, where the Eccleſiaſticall order is a member of the State, as in *France*, and the kingdomes of *Spaine* alſo. The Cardinall was very prolixe, and howſoeuer he repeated often that Reſidence was neceſſary, and that it was fit to make prouiſion for it, yet hee interpoſed ſo many exceptions, and excuſes, that, in the end, no man could iudge whether he would haue any conſtitution to be made for it or no. 1562. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The Legates imparted the Articles of Reformation for the future Seſſion to the Ambaſſadors alſo, according to promiſe, before they were propoſed in Congregation; which were all for remedies of the abuſes in the Sacrament of *Order*. And therefore the *French* Ambaſſadours and Biſhops met in the houſe of *Loraine*, to conſider of them, and deputed foure Biſhops to examine whether any thing was contained in them preiudiciall to the priuiledges of the *French* Church, or whether any thing might be added for the ſeruice of their Countrey, and withall they gaue order to the Ambaſſadour *de Ferrieres*, to collect, in Congregation of the ſame Biſhop, all the Reformations, formerly propoſed in *Trent*, vnder *Paulus*, and *Iulius*, and in the preſent Councell alſo, and in the Congregation of *Poiſi*, to make an abſtract of them, and, adding vnto them thoſe which were contained in the Kings inſtructions, and whatſoeuer ſeemed good vnto them beſides, ſhould compoſe Articles for all Chriſtendome, and *France* eſpecially.

But the Imperialiſts, ſeeing that none of the Reformations mentioned by them were propoſed, called together all the Ambaſſadors. *Prague* ſpake vnto them, and told them, that much time was conſumed in Councell with doing of nothing; that the Legates had often promiſed to handle Reformation, and yet they were entertained with ſpeculations, or with prouiſions againſt ſmall abuſes; that it was time to make an effectuall inſtance that they would begin to handle important and vrgent matters, and that if all would ioyne in requeſting the execution of ſo many promiſes, made by the Pope and the Legates, there might be hope to obtaine. All conſented, but when they came to particulars, they were ſo different, that they could not agree but in the generall, onely to demand a Reformation. Whereupon it was reſolued, that *Prague*, in deliuering his voyce, ſhould deſire it, in the name of all; and ſo he did.

And, in the matter of reſidence, he ſaid in few words, that the entertainments being taken from the Prelates, which they enioy in the Courts of *Rome* and other Princes, any Decree would ſuffice. The opinion of the Arch-biſhop of *Otranto* was, that the Decree of the ſaid Councell vnder *Paul* the third was ſufficient, adding onely the Popes Bull, dated the fourth of *Sept.* 1560. Others demanded that the cauſes of abſence, which the Synode deemeth to be lawfull, ſhould be expreſſed, becauſe the greateſt difficulties like to ariſe vpon this point. The Bull, named by *Otranto*, did containe a command of perſonall reſidence, vnder the penalties declared by the Councell,

Who quarels Treuiſor feare

The Prelates are remoued with the Popes authoritie.

1562 cell, and foure graces to those which reside. That is, that they may not be cited to the Court, but with commission signed by the Pope. That they shall be free from all impositions, ordinary and extraordinary, though imposed at the petition of Princes. That they may exercise iurisdiction against euery Secular Clearke, or Regular, dwelling out of his Cloyster. That no appeale may lye from their sentences, but only from the definitiue. Others were content with the Decree; as it was proposed by the Legates, but with some alterations, all fit for their owne respects, which were as many as there were persons. Some required that the declaration *de iure Diuino* might be made. And there was a fourth opinion, that although it be *de iure Diuino*, yet it was not fit to make declaration thereof.

Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The Cardinall of *Loraine* assembled the *French* Prelates to dispute vpon this point; who concluded vniformely, that it was *de iure Diuino*. The Bishop of *Angiu*, was the first that gaue his opinion so, and all the rest did follow him. But in the generall Congregations of the Synode, the Prelates were vnspeakeably tedious; whereof the Cardinall of *Loraine* complained to the Legates, desiring to haue those matters dispatched, that they might come to the reformation, repeating the wordes so often vsed, that if satisfaction be not giuen them in *Trent* they will take it at home.

The suffrage of the Bishop of *Veglia* concerning residence.

Friar *Albertus Duimius* Bishop of *Veglia*, alledging that the point of Residence was discussed in the Councell vnder *Paul* the third, and the decision deferred vntill another time, sayd, that therefore it was necessary to see the reasons then alledged by the Prelats; that now they had giuen their voices without alleadging reasons, which himselfe would not doe, esteeming reasons more then authoritie and multitude of opinions. And then he began to recite all the reasons for proofe that it is *de iure diuino*, and to resolue the contrary. He insisted much vpon the saying of Christ, *A good shepheard goeth before the flocke, calleth euery sheepe by name, runneth through the desert to seeke that which is lost, and layeth downe his life for them.* He shewed that this was vnderstood of all those whom Christ hath instituted *Pastors*; which are all those who haue cure of soules, especially the Bishops, as Saint *Paul* said and wrote to the *Ephesians*; that whosoeuer did holde himselfe not to be bound by the Decree of Christ to performe these offices, or was more fit for the affaires of kingdomes, or common-wealths, ought to leaue the charge of a *Pastor*, and to apply himselfe to those matters onely; that it is very much to performe one charge well, but to performe two, which be contrary, is impossible. His prolixitie did not please the Cardinals, because he was the first that disputed that matter with reason. Hee spake with great vehemencie, vsing many phrases and words, taken out of Saint *Hierome*. *Simoneta* would willingly haue interrupted him, but forbare, in regard of the occurrence of the Bishop of *Guadice*. But hee called him, in the presence of many Prelats, and reprehended him sharpely for speaking against the Pope. The Bishop defended himselfe humbly, and with reasons: and a few dayes after, alleadging indisposition, asked leaue to depart, and had it, and departed the one and twentieth of the moneth.

Who quitteth *Trent* for feare

The Prelates are terrified with the Popes authoritie.

After this time the controuersie about residence changed state, and those who did abhorre it, did labour no more to demonstrate by reasons or authoritie,

1562
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

ritie, as vntill then they had done, that it was of the law of man, but began to terrifie those of the contrary opinion, by saying, that to maintaine that it was *de iure diuino*, was to diminish the Popes authority; because it would follow that hee could not enlarge or diminish, diuide or vnite, change or transferre Episcopall *Seas*, nor leaue them vacant, or giue them in administration, or *commenda*; that he could not restraine, much lesse take away the authority to absolue; that, by this determination, all dispensations granted by Popes, were condemned at once, and power taken away to grant them hereafter. The other part, who saw the necessity of those consequences, which they thought were not vnfit, but that it was the trueth, and the lawfull vse of the ancient Church, and that the declaration was proposed for no other end then to remooue those inconueniences, themselues also omitting to vse reasons and authoritie, to prooue it to be *de iure diuino*, began to shew, that residence being restored by that declaration, it would turne to the enlargement of the Popes power, and encrease the reuerence towards the Clergie, and especially towards the Pope, who hath lost authority in so many Prouinces, because Bishops, not residing, but gouerning by vnable Vicars, haue left a way open for the sowing of new doctrines, which, with so much detriment of the Popes authority, haue taken roote. If Bishops doe reside, his authoritie will be preached euery where, and confirmed where it is acknowledged as yet, and restored where it hath beene shaken. Neither of the parties could speake with such termes, but that their dissimulation was perceiued on both sides, and their inward thoughts, which they would haue concealed, were but too manifest. They were all masked, and yet all knowen. Being assembled againe the sixteenth of December, one halfe of the Prelates hauing not as yet giuen their voices, Cardinall *Seripando* proposed the prorogation of the Session; and being not able then to foresee when they could dispatch, they resolued to prefixe a certaine time, within fifteene dayes. And the Cardinall admonished the Prelats of their great prolixitie, in giuing their voices, which did aime onely at ostentation, tooke away the reputation of the Councell, and did prolong it, to the great incommoditie of them all.

The Pope was much afflicted with the death of *Fredericke Boromeo* his nephew, which happened in the end of the last moneth; vpon whom thinking to conferre all the greatnesse of his house, hee had married him to a daughter of the Duke of *Vrbin*, made him generall gouernour of the Church, and purposed also to giue him the dukedome of *Camerino*, and because hee was olde and oppressed with griefe, hee fell into a dangerous sickenesse; out of which being recouered, hee applyed his minde to the affaires of the Councell. He helde diuers congregations, to finde a temper concerning the two Canons, of the Institution, and of Residence, which were thought by all the Court to be very dangerous for the Popes authority; as also to make some prouision against the prolixity of the Prelats, in deliuering their opinions, because it did prolong the Councell, and left a gate open for all those to enter, who would attempt any thing against his dignity. Aboue all, that which was desseigned by the Frenchmen did trouble him, especially, because he did neuer receiue Letters from *Trent*, in which it was not said, that either the Cardinall of *Loraine*, or some of the Ambassadours did make request for reformation,

The death of the Popes nephew.

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

formation, with this addition, that if they could not obtaine those prouisions they demanded, they would make them at home, making mention often of prouiding against the *annats*, *preuentions*, and other things properly belonging to the Pope of *Rome*. He resolued to deale plainely with the Frenchmen; and to those which were in *Rome* he said, that, hauing so often offered to treat with the King concerning his owne rights, and to come to a friendly composition, and seeing that his ministers in the Councell doe alwayes make shew that they will speake of them in the Synod, hee was resolute to see whether hee would breake out into an open dissention with him. Hee gaue order, by an expresse currier, to his *Nuncio* in *France* to speake hereof; and wrote to the Cardinall of *Loraine*, that those matters could not be proposed in Councell, without breach of the Kings promises, expressely made vnto him, by Monsieur *d' Auxerres*. Hee complained in Consistorie of the impertinencie of the Bishops in *Trent*, in making euery thing long, to no purpose. Hee exhorted the Cardinals to write to their friends, and himselfe wrote to the Legats, to vse threats and authoritie, seeing that perswasions did no good. Concerning the articles of the Institution he wrote, that to make the institution of Bishops absolutely *De iure diuino*, was a false opinion, and erroneous; because the power of *Order* was from Christ, but of iurisdiction from the Pope, which, in this respect, may be said to be from Christ, because the Papall authority commeth from his diuine Maiestie, so that whatsoeuer the Pope doeth, Christ doeth by him. And, for a resolution, hee wrote, that either the words *de iure diuino*, should be quite omitted, or they should be vsed in that forme which he sent, in which it was sayd that Christ did institute Bishops to be created by the Pope, who may distribute to them what and how much authority it pleased him to giue them, for the benefit of the Church, hauing absolute power to restraine and amplifie that which is giuen, as seemeth good vnto him. Then hee wrote, that, in the particular of Residence, it being a cleere case that the Pope hath power to dispense, they should, by all good caution of words, reserue his authoritie in the decree, in which the wordes *de iure diuino*, could by no meanes be put; as *Catharinus* had well prooued, from whose opinion, being Catholique, they ought not to depart. For holding the Session, hee wrote confusedly, that it should not be deferred aboue fifteene dayes, nor celebrated before the matter were in order, that the enuious might not take occasion to calumniate.

The Duke of *Bauaria* sendeth Ambassadours to *Rome*.

A solemne Ambassage from the Duke of *Bauaria* passed by *Trent* to goe to *Rome*, to obtaine of the Pope the communion of the Cup. They had audience with the Legate, and secret conference with the Cardinall of *Loraine*. This wakened the controuersie in that matter, which was asleepe; and the *Spaniards*, and many *Italians* (howsoeuer the matter was referred to the Pope by the *maior* part) said it would bee a preiudice to the Councell, if, while that lasted, that vse should bee permitted. And all the Fathers were in a hurly burly, because letters came from *Rome* to diuers Prelates, that the Councell should be suspended; which report was confirmed by *Don Iohn Manriques* who passed by *Trent*, from *Germanie* to *Rome*. But the Legates, hauing receiued the Popes letters, thought it impossible to execute the orders

he

he had ſent, and that it was neceſſary to giue him a more particular account of the occurrences, then could be done by writing, and make him vnderſtand that the Councell cannot bee gouerned as at *Rome* they thinke it can, that they might receiue a more plaine inſtruction from his Holineſſe what they ſhould doe. And it being neceſſary to ſend a man of iudgement, well informed, and of credite with the Pope, they found none better then the Biſhop of *Ventimiglia*, whom they reſolued to diſpatch with ſpeed. The Holy-daies of Chriſtmaſſe approaching gaue them fit occaſion firſt to proceed ſlowly, and afterwards to intermit the congregations, and ſo to haue leaſure to make that diſpatch; which was done the ſixe and twentieth of *December*.

1562

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The Legates ſend the B. of *Ventimiglia* to the Pope.

The eight and twentieth, newes came to *Trent*, of the battayle in *France*, which hapned the ſeuenteenth of the moneth, in which the Prince of *Conde* was taken priſoner. That Kingdome was very turbulent all that yeere, for the differences of religion, which gaue a beginning firſt vnto a gentle, and afterwards vnto a furious warre. For the *Hugonots* encreaſing in *Paris*, to the great diſcontent of the Catholiques, who are many in the Citie, and adhering to the Prince of *Conde*, the *Conſtable*, with his ſonnes, and the houſe of *Guiſe*, with ſome others, to hinder the greatneſſe vnto which that Prince did aſpire, made a league, and deſſeigned to make themſelues leaders of the people of *Paris*, and to chaſe, by their meanes, from that Citie and the Court, the Prince and his followers. Each of them departing from his houſe, to goe towards *Paris*, and in the iourney ſlaying and diſperſing the *Hugonots*, whom they found aſſembled in diuers places, they entred into *Paris*; and, hauing drawen the King of *Nauarre* to their ſide, and cauſed the city to arme in their fauour, the Queene was conſtrained to ioyne with them. Hereupon the Prince, going out of *Paris*, and retiring, with his adherents, to *Orlience*, *manifeſts* and writings paſſed on both ſides, each proteſting they did nothing but for the libertie and ſeruice of the King. But the *Conſtable* and *Guiſe*, waxing euery day ſtronger, in Aprill the Prince wrote to all the reformed Churches of *France*, demanding ſouldiers, and money, and declaring warre againſt the defenders of the Catholike partie, calling them perturbers of the Catholike quiet, and violaters of the Kings Edict, publiſhed in fauour of the Reformatiſts. The Princes letters were accompanied with others of the miniſters of *Orleans*, and of ſome other cities, which cauſed thoſe of that Religion to arme. And there fell out an accident which did incite them more. For at the ſame time the Edict of Ianuary (whereof wee haue already made mention) was publiſhed againe in *Paris*, with an addition, that neither in the ſuburbs of the Citie, nor within the ſpace of a league any aſſembly of Religion ſhould be held, or Sacraments adminiſtred but after the old *Rite*. And in the end of May the King of *Nauar* made all the Reformatiſts goe out of *Paris*, but proceeded with ſuch moderation, that none of them were offended.

The battaile & other troubles in *France*.

Warre brake forth in all the Prouinces of *France*, betweene theſe parties, and that ſummer there were at the leaſt, fourteene formall Armies, all at one time, in diuers parts of the Kingdome. The ſonnes fought againſt their fathers, brothers againſt brothers, and euen women tooke Armes on both ſides, for defence of their religion. There was almoſt no part in *Dolphinie*, *Languedoc*,

1562
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

Languedoc, and *Gascoigne*, which was not vexed oftentimes, the Catholiques, remaining conquerours in some places, and the Reformatists in others, with such variety of accidents, that it would bee tedious to repeat them, and besides our purpose, which requireth that nothing should bee related by vs but concerning *Trent*, except those which haue a connexion with the Councel, as the things following haue. Where the *Hugonots* ouercame, the images were beaten downe, the altars destroyed, the Churches spoiled, and the ornaments of gold and siluer melted, to make money for souldiers pay. Where the Catholiques were conquerors, they burned the Bibles in the vulgar tongue, rebaptized children, and remaried those who had beene maried according to the new ceremonies. And the condition of the Clergie on both sides was most miserable, who, whensoeuer they were taken, were cruelly murthered, without all humanity. In Iulie the Parlament of *Paris* made a Decree, that it should bee lawfull to slay all the *Hugonots*, which, by publike order, was read euery Sunday in euery Parish. Afterwards they added another, declaring them rebels, publike enemies, themselues infamous, and all their posterity, and the goods of those who tooke Armes in *Orliens* confiscated, except *Conde*, vpon pretence that they held him by force. And howsoeuer there were many treaties betweene the parties, and a verball conference also betweene the Queene Mother, and the Prince, yet such was the ambition of the Grandies, that it was impossible to find out any meanes of composition.

A bloody Decree made by the Parlisмēt of *Paris*.

But the King of *Nauar* being dead, who perhaps would not haue suffered them to proceed to an open warre, the Queene resoluing to regaine obedience with armes, demanded aide of all the Princes. And because the people of the Low Countreys did learne, by this example, to bee more contumacious, and obstinate, the Kings authority diminished euery day, and could not be repaired by the Gouernours. And the King refused to goe thither to oppose his person against the ill disposition of the people, and the dessignes of the Grandies, as *Granuel*, the chiefe in that Gouernment, had giuen him counsell. For that wise King knew how dangerous it was to be contemned to his face, and doubted that, in stead of gaining *Flanders* hee should make it more contumacious, and, in the meane while, loose *Spaine*. But he thought that by subduing the *Frenchmen*, who rebelled against their King, hee might make an absolute prouision against the contumacie of his owne Subiects. And therefore he offered the Queene great assistance of men and money, sufficient to subiect the whole Kingdome vnto her. But the Queene refused the men, and demanded the money, knowing that if she had receiued a *Spanish* armie, she should haue beene forced to gouerne *France*, not according to her owne interests, but of the king of *Spaine*. Yet taking a middle course, she receiued sixe thousand men, with which, and with her owne forces, conducted by the *Constable*, and the Duke of *Guise*, the battell was made the seauenteenth day aforesaid, in which three thousand *Hugonots*, and fiue thousand Catholiques were slaine, and the Generals on both sides *Conde*, and the *Constable* taken prisoners. Neither of the armies was discomfited, by vertue of the Lieuetenants on both sides, *Guise* for the Catholiques, and *Colignie* for the *Hugonots*. The Queene did make *Guise* the Generall, which did not deterre

The Low Countries doe imitate *France*.

The Queene Mother refuseth the *Spanish armie*.

terre *Collignie* from maintaining his armie, preseruing the places he possessed, and making some progresse also. 1562

PIVS 4. FERDINAND. ELIZABETH CHARLES 9. PHILIP 2.

For this victorie (for so it was called, though it deserued not the name) thankes were giuen to God in *Trent*, by all the Fathers assembled together, making a procession and singing a *Masse*. *Franciscus Belcarrius*, Bishop of *Metz*, made an Oration also, in which, relating all the storie of the confusions of *France*, since the death of *Francis* the second, and the successe of the last warre, he gaue the praise of all that was well done to the Duke of *Guise* onely. Hee said *Martin Luther* was cause of all those troubles, who, though but a little sparke, had raised a great fire, first in *Germanie*, and afterwards in all the Prouinces of Christendome, except *Italie* and *Spaine*. Hee exhorted the Fathers to assist the Christian common-wealth, because they onely were able to extinguish that flame. Hee tolde them that this was the sixe and twentieth yeere since *Paul* the third began to heale this disease, by intimating the Councell there; which was first deferred, then dissembled, and finally celebrated with diuers factions, vntill it was transferred to *Bolonia*, where there were many dilations, and greater contentions, and more bitter factions then before. Afterwards it was recalled to *Trent*, and, by reason of the warres, dissolued. Now that they were come to the last, there was no more place for dissimulation, because the Councell would either reconcile the whole world, or cast it headlong into an infallible ruine. Therefore it was fit that the Fathers should not regard their priuate interests, nor haue particular designes, nor speake in fauour of others, inregard the cause of religion was in question, which will be vtterly ouerthrowne, if they cast their eye vpon any thing besides. This libertie of speach hee tempered with flatterie, first towards the Pope, then towards the Emperour, kings of the Romans, and of *Polonia*. He passed to the commendations of the Queene Mother of *France*, and of the King of *Portugal*, and, in the ende, exhorted them to reforme the Ecclesiasticall discipline.

Solemnities are vsed in *Trent* for the victorie in *France*.

The Cardinall of *Loraine*, hauing receiued newes of the imprisonment of the Prince, was very glad, particularly for the honour of his brother, and desired the more to returne quickly into *France*, to assist him in the Court and in the Kings Councell, and to raise himselfe also one degree higher, in regard *Nauar* and the Constable, to whom hee was necessarily to yeeld, were both taken away.

The Pope was full of suspition for the iourney to *Isprus*, which the Emperour had published, thinking hee would not goe thither without great designes, and without assurance to effect them. Hee beleeued hee had secret intelligence with *France* and *Spaine*, but knew not to what ende, but onely in generall, that it was a plot against him. Therefore hee resolued to goe in person to *Bolonia*, to send eight or tenne Cardinals to *Trent*, to make greater alliance with the Italian Princes, and to confirme the Prelates his adherents in Councell, vntill hee could finde some occasion to dissolue or suspend it. And, to hinder all treaties in *Trent* of reforming the Court, hee laboured much himselfe in that businesse. Hee reformed the *Rota*, publishing a *Briefe*, dated the seuen and twentieth of December, in which hee ordained, that no *Auditor* should proceede to a definitiue, howsoeuer the case

The Pope is troubled that the Emperour will goe to *Isprus*.

1563 might be plaine, befor he made the propoſition to the whole Colledge, without conſent of the parties; that the ſentences pronounced in writing, ſhould be produced within fifteene dayes; that the cauſes of the *Auditors* themſelues, or of their kinsfolke vnto the ſecond degree, or of any of their familie, ſhall not bee heard in the *Rota*; that the parties ſhall not bee forced to receiue an Aduocate; that no deciſion ſhall bee made againſt thoſe which bee printed, except two thirds of the voyces doe conſent: that they ſhall bee bound to remit euery cauſe which ſeemeth to bee criminall. In the ſame Bull he made alſo a taxe for moderation of fees. He reformed likewiſe by other Bulls, publiſhed the firſt of the next Ianuarie, the ſignature of iuſtice, the tribunals of *Rome*, the office of the Fiſcall Aduocate, ordaining what fees they ſhould haue. But the vſuall extorſions were ſo farre from being redreſſed by theſe prouiſions, that by tranſgreſſing the new orders, they learned to violate the olde which were in ſome vſe.

PIVS 4. FERDINAND. ELIZABETH CHARLES 9. PHILIP 2.

The Courtiers in *Rome* thinking the Catholikes in *France* had gotten an abſolute victorie, and that the *Hugonots* were reduced to nothing, were exceeding glad. For beleeuing that *France* had obtained that by Armes which it expected from the Synode, and there being no further regard to bee had of *Germanie*, which proteſted againſt it, they thought that all cauſes of holding the Councel were ceaſed, ſo that it might be ſuſpended or deferred, and themſelues deliuered from feare, which had increaſed euery weeke, by reaſon of the nouities which happened in *Trent*. But the Pope made no great matter of it. For being informed that the Catholike forces were not augmented, nor the *Hugonote* diminiſhed, and that this battell would giue occaſion to treate a peace, which could not bee without his preiudice, nor without giuing matter of more nouities in *Trent*, hee was more afraide and troubled then before. And the yeere 1562. ended thus; a congregation in *Trent* hauing beene helde the thirtieth of the moneth, in which it was reſolued to prolong the Seſſion, and appoint a day for it within fifteene dayes.

1563 The Articles of reformation.

The yeere 1563. began in Councell with the preſentation of the Articles of reformation made by the French Ambaſſadours, which ſeemed very hard to the Legates, and all the Papalins; eſpecially in thoſe particulars in which they would haue the *Rites* of the Roman Church altered, and in which the emoluments and profits, which the Apoſtolike *Sea* receiueth from other Churches, were touched. The Ambaſſadors added the vſuall *Appendex*, not to call it a proteſtation, that, if their propoſitions were not imbraced, they would prouide for their neceſſities in *France*. The Legates were ſure the Pope would bee vexed heerewith, in regard of the promiſe made vnto him, that they would not treate in Councell of the *Annats*, and other pecuniarie *Rites*, but friendly compoſe the matter with him. Therefore they thought it neceſſarie to ſend them to him by a Prelate, and to informe his Holineſſe. And they elected the Biſhop of *Viterbo*, as beeing well inſtructed in the affaires of *France*, where he had beene *Nuncio* many yeeres, and in the deſignes of the Cardinall and French Prelates of the Councell, with whom hee had conuerſed ſince their arriuall. The Cardinall of *Loraine*, informed heereof, perſwaded them to doe ſo,

The Biſhop of *Viterbo* is ſent to the Pope.

and

and himselfe gaue him instructions, to speake with the Pope. The Bishop was so nimble, that howsoeuer the Cardinall held that hee was sent vnto him for a spie, and an obseruer, yet hee caried himselfe so well, that he gained the confidence of him and the Ambassadours, without losing that which the Pope and Legates had in him. This Prelate went with instruction to represent to the Pope all the difficulties which the Legats found, and to bring backe a resolution how they should gouerne themselues in euery particular. Hee had instructions from *Lorraine*, to desire his Holinesse to take in good part that which was desired by the King for the necessitie of his Kingdome, and by them to execute the commands of his Maiestie, and to offer his endeuours to accommodate the differences of the institution of Bishops, and of residence, which held the Councell employed in small matters. 1563

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The Emperours ministers, seeing the Reformation of the Frenchmen, and considering the Proheme, thought they were noted to haue but small authoritie. They complained to the Legates that the Articles of reformation, mentioned by the Emperour and by them, had not been proposed, though they had giuen copies of them, sent them to *Rome*, and spread them throughout *Trent*; desiring they may bee put together with those of the Frenchmen. The Legats excused themselues, in regard of the libertie which the Emperour by letters, and themselues by word of mouth had giuen them, to propose and omit what seemed them good, adding, that they did expect a fit time, and that indeede the Frenchmen had not found a good coniecture, while the difference of the two Canons doth continue, which giueth much trouble to his Holinesse. The Ambassadours were not so satisfied, saying, there was a great difference betweene omitting all, and a part, and betweene deferring, whiles in the meane space things are concealed with due respect, and diuulging them, and putting them in derision. And *Simoneta* replying, that it was hard to discerne which were fit to bee proposed, but easie to knowe which were to be omitted, in the end they were content to expect what the Pope would say to the French propositions, so that afterwards theirs might bee proposed. The French Prelates had consented, in generall termes, to the Articles belonging to *Rites*, and to the grieuances of Bishops, which in their secret thoughts they did not approoue, because they beleeued that, in the discussion of them, they should haue the Spaniards, and many of the Italians their opposites; but seeing they were sent to *Rome*, they were afraid that the Pope opposing those which touched his reuenues, would yeeld to the others, and by composition be content to giue way to those which were preiudiciall to them, to auoyde others which concerned his owne interest. For this cause they made secret practises with the other Prelats, perswading a moderation; which being done after the French fashion, without much caution, was knowen to the Ambassadours. Therefore *Lansac* assembled them all, and reprehended them sharpely, for daring to oppose the will of the King, Queene, of the whole counsell, and of the Kingdome. Hee exhorted them, not onely not to labour against, but to promote the Kings determination. And the admonition was very rigorous.

1563

Pivs 4.
Ferdinand

Elizabeth.
Charles 9.
Philip 2.

But before wee relate the negotiation in *Rome*, it will not bee amisse to declare the substance of the French proposition, which presently was printed in *Ripa* and *Padua*, and conteined: That the Ambassadours had determined long since, in performance of the Kings command, to propose to the Councell the things contained in that writing; but the Emperour hauing proposed almost the same things, not to importune the Fathers, they had expected to see what the Pope would resolue concerning the propositions of his Imperiall Maiestie. Now hauing receiued a new commandement from the King, and seeing the instance of the Emperour deferred longer then they thought, they resolued not to make any more delay, not desiring any thing singular, or separate from the residue of Christendome; and that the King, expecting that esteeme should bee held of his propositions, doth notwithstanding referre the iudgement and knowledge of them all to the Fathers. The points were foure and thirtie. 1. That Priests should not be ordained before they were old, and had a good testimonie of the people, that they had liued wel, and that their carnalities and transgressions should bee punished according to the Canons. 2. That holy *Orders* should not bee conferred at the same time when the inferiour were, but that euery one should bee approoued in these, before hee ascended to those. 3. That a Priest should not bee ordained before hee had a Benefice, or ministerie, according to the Councell of *Chalcedon*, at which time a presbyterall title without an Office was not heard of. 4. That the due function should bee restored to Deacons, and other holy Orders, that they may not seem to be bare names, and for ceremonie only. 5. That the Priests, and other Ecclesiasticall Ministers should attend to their vocation, not medling in any office, but in the diuine ministery. 6. That a Bishop should not be made but of a lawfull age, manners, and doctrine, that hee may teach, and giue example to the people. 7. That no Parish Priest should be made but of approued honestie, able to instruct the people, celebrate the sacrifice, administer the Sacraments, and teach the vse and effect of them to the receiuers. 8. That no Abbat or Conuentual Prior should be created, who hath not studied diuinity in some famous Vniuersity, and obtained the degree of Master, or some other. 9. That the Bishop, by himselfe, or by other preachers, as many as are sufficient, according to the proportion of the Diocesse, should preach euery Sunday and Holyday, & in Lent, on fasting dayes, and in Aduent, and as often as it shal be fit. 10. That the Parish Priest should doe the same as often as hee hath auditors. 11. That the Abbat and Conuentuall Prior shall reade the holy Scripture, and institute an Hospital, so that the ancient Schooles and hospitality may bee restored to the Monasteries. 12. That Bishops, Parish Priests, Abbats, and other Ecclesiastiques, vnable to performe their charge, shall receiue *Coadiutors*, or leaue their Benefices. 13. That concerning the Catechisme, and summarie instruction of Christian doctrine, that should be ordayned which the Emperour hath proposed to the Councel. 14. That no man should haue more then one benefice, taking away the difference of the quality of persons, and of benefices compatible and incompatible, a new diuision not heard of in the ancient Decrees, and a cause of many troubles in the Catholique Church; and that the regu-

The French propositions.

lar benefices ſhould be giuen to regulars, and ſecular to ſeculars. 15. That he who now hath two or more, ſhall retaine that only which he ſhall chooſe within a ſhort time, or ſhall incurre the penalty of the ancient Canons. 16. That to take away all note of auarice from the Clergie, nothing bee taken, vpon any pretence whatſoeuer, for the adminiſtration of holy things, but that prouiſion be made that the Curates, with two Clerkes or more, may haue whereon to liue and mainetaine hoſpitality, which may bee done by the Biſhops by vniting benefices, or aſſigning tenths vnto them, or, where that cannot bee done, the Prince may prouide for them by ſubuention, or collections, impoſed vpon the Pariſhes. 17. That in pariſh *Maſſes*, the Goſpel be expounded cleerely, according to the capacity of the people, and that the prayers which the pariſh Prieſt maketh together with the people bee in the vulgar tongue, and that, the ſacrifice being ended in Latine, publike prayers bee made in the vulgar tongue likewiſe, and that at the ſame time, or in other houres, ſpirituall hymnes or Pſalmes of *Dauid*, approoued by the Biſhop, may bee ſung in the ſame language. 18. That the ancient Decree of *Leo* and *Gelaſius*, for the Communion vnder both kinds, bee renewed. 19. That before the adminiſtration of euery Sacrament, an expoſition bee made in the vulgar, ſo that the ignorant may vnderſtand their vſe and efficacie. 20. That according to the ancient Canons, benefices may not be conferred by the Vicars, but by the Biſhops themſelues, within the terme of ſixe moneths, otherwiſe that the collation may bee deuolued to the next Superiour, and, by degrees to the Pope. 21. That the Mandats of prouiſion, *expectatiues*, *regreſſes*, *reſignations* in confidence, and *commendaes* be reuoked, and baniſhed out of the Church, as contrary to the Decrees. 22. That the reſignations in fauour be wholy exterminated from the Court of *Rome*, it being as it were an election of ones ſelfe, or a demanding of a ſucceſſour, a thing prohibited by the Canons. 23. That ſimple Prioriés, from which the cure of ſoules is taken away, contrary to the foundation, and aſſigned to a perpetuall Vicar, with a ſmall portion of tithes, or of other reuenue, bee reſtored to their former ſtate at the firſt vacancie. 24. That benefices, vnto which no office of preaching, adminiſtring the Sacraments, nor any other Eccleſiaſticall charge is annexed, may haue ſome ſpirituall cure impoſed vpon them, by the Biſhop, with the counſell of the Chapter, or bee vnited to the next pariſhes, becauſe no benefice ought or can bee without an office. 25. That penſions bee not impoſed vpon benefices, and thoſe aboliſhed which are impoſed already, that the Eccleſiaſticall reuenues may be ſpent in maintaining the Paſtors, and poore, and in other workes of pietie. 26. That Eccleſiaſticall iuriſdiction throughout the whole dioceſſe be reſtored to the Biſhops, all exemptions being taken away, but of the chiefe gouernors of the Orders and Monaſteries ſubiect vnto them, and thoſe who make generall Chapters, to whom exemptions are granted by a lawfull title, but yet with prouiſion that they bee not exempted from correction. 27. That the Biſhop may not vſe iuriſdiction, and handle matters of great weight concerning the dioceſſe, without the counſell of the Chapter; and that the Canons may reſide continually in the Churches, bee of good conuerſation, learned, and at the leaſt 25. yeeres of age, in regard the lawes, not giuing them the

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

free disposition of their goods before that time, they ought not to bee made counsellours to Bishops. 28 That the degrees of affinity, consanguinity, and spirituall kindred be obserued, or reformed, and that it may not be lawfull to dispence therein, but with Kings and Princes, for the publique good. 29. That, in regard many troubles haue risen by meanes of images, the Synode would make prouision, that the people may be taught what they ought to beleeue concerning them, and that the abuses and superstitions, if any be vsed in the worship of them, may be taken away: and that the same be done concerning *indulgences, pilgrimages, reliques* of Saints, and of companies or confraternities. 30. That the publike and ancient penance in the Catholike Church, for grieuous and publie offences, be restored and brought into vse, as also fastings, and other exercises of sorrow, and publique prayers to appease the wrath of God. 31. That excommunication be not decreed for euery sort of offence, or contumacie, but onely for the greatest, and in which the offender doth perseuere after admonition. 32. That, to abbreuiate or quite take away suits of law for benefices, by which the whole Clergie is blemished, the distinction of *petitorie* and *possessorie*, newly inuented in those causes, may bee taken away, nominations of Vniuersities abolished, and a commandement giuen to Bishops, to giue benefices not to those that seeke them, but to those that auoid them, and are worthy of them: and their merit will be knowen, if, after their degree receiued in the Vniuersitie, they shall haue spent some time in preaching, with the consent of the Bishop, and approbation of the people. 33. That there beeing a suit for a benefice, an *Economique* may bee created, and arbitrators elected by the litigants; which in case they refuse to doe, that the Bishop may nominate, and that these may determine the controuersie within six moneths, and that no appeale may lie from them. 34. That the Episcopall Synods may bee held once a yeere at the least, and the Prouinciall once in euery three yeeres, and the Generall, if there be none impediment, euery tenth yeere.

The negotiation of the Bishop of *Vintimiglia* in *Rome.*

The first of Ianuarie, *Vintimiglia* arriued in *Rome*, hauing made the iourney in seuen daies. Hee presented the letters to the Pope, and declared his credence, relating the cogitations and diuers ends and humours which were in the Councel, and in what sort the Legates and other good seruants of his Holinesse thought the difficulties ought to be managed. The Pope held a congregation the third day, and gaue account of the relation of *Vintimiglia*, shewed he was satisfied with the diligence and wisdome of the Legates, and commended the good will of *Loraine*, and gaue order that they should consult vpon the point of the institution of Bishops, which did then especially presse them. The sixth day, beeing the *anniuersarie* of his coronation, hee held another Congregation, in which he published Cardinals *Ferdinando de Medici*, and *Frederico Gonzaga*; the former to consolate his father for the miserable death of another sonne, who was Cardinall also; and the other to gratifie the Legate *Mantua*, and others of the familie, neerely allied to him, by a mariage of the Legates nephew to a sister of Cardinall *Borromeo*. Yet the Pope did not omit to assist at the Consultation concerning the affaires of the Councell; and resolued to write to the Legates, that the Canon of the institution of Bishops should be thus composed: That the Bishops doe hold the

principall

principall place in the Church, depending of the Pope of *Rome*, and that they are by him assumed, *in partem sollicitudinis*. And in the Canon concerning the Popes power, that it should be said; that he hath authoritie to feed and gouerne the Vniuersall Church, in place of Christ, from whom all authoritie hath beene communicated to him, as Generall Vicar: but in the decree of doctrine they should enlarge the words of the Councell of *Florence*; which are, that the holy Apostolike *Sea*, and Pope of *Rome* hath the Primacie in all the world, and is Successor of Saint *Peter* Prince of the *Apostles*, the true *Vicar* of CHRIST, the Head of all Churches, Father and Master of all Christians, to whom, in Saint *Peter*, by CHRIST our LORD, hath beene giuen full power to feed, rule, and gouerne the Vniuersall Church: adding, that by no meanes they should depart from that forme, which hee was certaine would be receaued. For the substance of it being taken out of a generall Councell, he that should oppose, would shew himselfe to be a Schismatike, and fall into the censures, which, by the prouidence of God, hauing alwayes beene inflicted vpon the contumacious, with the greater exaltation of the Apostolique *Sea*, he was confident that the cause of the Church would not be abandoned by the Diuine Maiestie, nor by the good Catholiques; and he hoped that in the meane space *Vintimiglia* would be returned, whom he meant to dispatch shortly, with more ample instructions. Hee resolued to goe to *Bolonia*, that he might be neere, and so the better imbrace all occasions of finishing or translating the Councel, which, before they could bee aduised to *Rome*, did vanish. He caused a *Bull* to be made, that in case hee should die before his returne, the Election should be made in *Rome* by the Colledge of Cardinals.

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.
The Popes Letter to the Legates.

The Currier was not so soone dispatched for *Trent* with these Letters, but *Viterbo* arriued with the *French* Reformation, and reuiued his trouble. The Pope, when he heard it first read, was extreamely impatient, and brake out into these words, that the end of it was to take away the *Datarie*, the *Rota*, the *Signatures*, and finally all the Apostolique authoritie. But afterwards he was much pacified by the Bishops, who told that his Holinesse might be able to diuert some things, and moderate others, granting some few of them. He deliuered to him the instruction of *Loraine*; which was; that Princes demand many things, to obtaine those of which they haue most need; which do not much cõcerne the Apostolike Sea; as the vse of the Cup, vse of the vulgar tongue, and mariage of Priests; in which, if his Holinesse would giue satisfaction, it would be easie for him to receiue honour from the Councell, and to obtaine his wished end. He shewed that many of those Articles did not please the French Bishops themselues, who endeuoured to crosse them. The Pope vnderstanding these things, gaue order that the Articles should bee discussed in Congregation, and that *Viterbo* and *Vintimiglia* should bee present, to informe the occurrences at large; in which it was resolued, that the Diuines and Canonists should write concerning those propositions, and euery one deliuer his opinion in paper; And to make some diuersion in *France*, he gaue order to *Ferrara* to release those fourtie thousand Crownes to the King, without any condition, and to tell him that the Proposition of his Ambassadours in *Trent*, were fit in many parts for the Reformation of the

The negotiation of the Bishop of *Viterbo*.

Church,

1563 Church, which he desired not onely to haue Decreed, but to be put in execution also, yet so, as that he did not approue them all, because some were to the diminution of the Kings authoritie, who will bee depriued of the collation of Abbies, which is a great helpe to his Maiestie to reward his good seruants; that the ancient Kings, hauing their Bishops to potent, in regarde of their great authoritie, and contumacious against the Regal power, did desire the Popes to moderate it; but now the Ambassadours by their Propositions, would restore that licence, which the Predecessors of his Maiestie did wisely procure to be curbed. Concerning the Popes authority, that it could not be taken away, because it was giuen by CHRIST, by whom Saint *Peter* and his successors were made *Pastors* of the vniuersall Church, and Administrators of all Ecclesiasticall goods, that, by taking away the pensions, he shall not haue power to giue almes, which is one of the most principall charges which the Pope hath throughout all the world; that facultie to conferre some benefices hath beene by fauour granted to Bishops, as Ordinaries, which is not fit to be extended to the preiudice of the Vniuersall Ordinarie, which is the Pope, that as Tithes are due to the Church *de iure Diuino*, so the tenth of the Tithes of all Churches is due to to the Pope; that, for more commoditie, this hath beene changed into *Annats*; that in case they were incommodious for the Kingdome of *France*, he did not refuse to finde a tempter, so that the right of the Apostolique Sea were, in some conuenient manner, preserued; but that, as he had often giuen him to vnderstand, this could not bee handled in Councel, nor by any but himselfe. In the end he gaue the Cardinall charge, that hauing put all these things to the Kings consideration, hee should exhort him to giue new Commissions to his Ambassadors.

PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

The Pope writeth againe to the Prelates.

The Pope sent also to *Trent* the censures concerning those articles, made by diuers Cardinals, Prelates, Diuines, and Canonists of *Rome*, with order that they should deferre to speake of them as long as was possible; that the article of Residence, and the abuses concerning the Sacrament of *Order*, might entertaine them many dayes; that when there was necessitie to propose them, they should begin with those which were least preiudiciall, as those which appertaine to maners, and doctrine, deferring to treat of those which concerne *Rites*, and Benefices; that, in case they were forced to propose them, imparting the obiections to the Prelates their adherents, they should put them in discussion and controuersie, and that, in the meane while, hee would giue order for that which hee had resolued besides. And this he wrote to the Legats.

In the end of the moneth, hee deliuered in Consistory, that the greatest Princes of Christendome did demand reformation, which could not be denied them, neither by true reasons, nor by pretences: and therefore that hee was resolued to giue a good example, and, not to faile of his dutty, to begin with himself e, prouiding against the abuses of the *Datarie*, taking away the *coadiutories*, *regresses*, *resignations* in fauour, and that the Cardinals ought not onely to consent to it, but to publish it to all. The good intention of his Holinesse was generally commended. But some considered that those vses were brought in to take away greater abuses of manifest Simonie, and vnlawfull bargaines, and that they were to take care, that, remouing those

tollerable

tollerable inconueniences, which indeede are but against the law of man, a gate be not opened for the returne of those which are against the Law of GOD. The Cardinall of *Trent* said, that it would be a great preiudice to take away the *Coadiutories* in *Germanie*, because those Bishoprickes being annexed to principalities, if coadiutories could not be had for both together, they must be had for the principalitie alone, and so the temporall would be diuided from the spirituall, which would be the vtter ouerthrow of the Church. The Cardinall *Nauaggiero* opposed the making of *Germanie* different, saying, that the *Dutchmen* being the first that demanded reformation, they ought to be comprehended at the least. Afterwards the Pope related how many enterprises were vsed in Councell against the priuiledges of the Romane Church, and spake of *Annats*, *Reseruations*, and *preuentions*. He said they were necessarie Subsidies, to maintaine the Pope, and Colledge of Cardinals, whereof as themselues were partakers, so it was fit they should labour to defend them, and that hee would send a number of them to *Trent*, for this seruice.

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

In which place, the next day after the arriuall of the currier, who brought from *Rome* the Canons of the Institution, which was the fifteenth of Ianuarie, a day appointed to resolue on the certaine time of celebrating the Session, a Congregation was holde, and a resolution made to deferre the determination vntill the fourteenth of February. And a copy was giuen of the decrees of the Institution, with order that the Congregations should begin, in which they should be discussed. And the care of reforming the decree of Residence was committed to *Lorraine* and *Madruccio*, together with those Fathers whom they pleased to take vnto them. In the congregations following, the formes which came from *Rome* were, with facilitie, approoued by the Patriarkes, and the most ancient Archbishops; but many difficulties were alleadged against them by the Spaniards, and more by the Frenchmen. This passage (*That Bishops doe holde the principall place depending of the Pope*) was questioned, because the forme of speech was ambiguous, which ought to haue beene plaine. After long discussion, they were content to admit that it should be said, Chiefe vnder the Pope, but not dependent. Some also oppugned those words, that Bishops were assumed by the Pope into part of the charge, but would haue it said, That they were appointed by CHRIST, to take part of the cure: alledging the place of Saint *Cyprian*: *There is but one Bishopricke, of which euery one holdeth a part in solidum.* And for the point of the authoritie to feed, and to gouerne the Church vniuersall, they said that the Church was the first tribunall vnder CHRIST, to which euery one ought to be subiect, and that *Peter* was addressed to it, as vnto a Iudge, by the words of CHRIST, *Goe, tell it to the Church, and he that will not heare the Church, let him be accounted an Heathen, and a Publican.* And they were content it should be said that the Pope had authoritie to feede, and gouerne all the Churches, but not the Church vniuersall; wherein there was small difference in the *Latin*, betweene *Vniuersalem Ecclesiam*, and *Ecclesiã vniuersas*. And *Granata* said, I am Bishop of *Granata*, and the Pope Archbishop of the same Citie; inferring that the Pope hath the superintendencie of the particular Churches, as the Archbishop hath of the Churches of his Suffragans. And it being alleadged, that this

The Canons sent from *Rome*.

Doe not absolutely please the Fathers.

1563
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

this word, Church Vniuerſall, was vſed in the Councell of *Florence*, it was replyed, that the Councell of *Conſtance*, and *Martin* the fifth, in condemning the articles of *Iohn Wiglef*, doeth condemne the article againſt the ſupremacie of the Apoſtolique Sea, onely for ſaying, that it is not ſet ouer all particular Churches. And here a diſputation began betweene the Frenchmen and the Italians, theſe ſaying that the Councell of *Florence* was generall, that of *Conſtance* partly approoued, and partly not, and that other of *Baſil* ſchiſmaticall; and the others maintaining that thoſe of *Conſtance* and *Baſil* were generall Councels, and that this name could not agree to that of *Florence*, celebrated onely by ſome few *Italians*, and foure *Grecians*. Neither did they grant that the Pope had all the authoritie from Christ, no not with the reſtrictions and limitations, as he was a man, and in the time of his mortalitie; but they were content it ſhould be ſaid that he had authoritie equall to that of Saint *Peter*. This manner of ſpeech was ſuſpected by the Papalins, who ſaw they would make the life and actions of Saint *Peter* a paterne for the Pope, which would, as they ſaid, reduce the Apoſtolique Sea to nothing; which they defended to haue an vnlimited power, to be able to giue a rule for all emergents, as the times doe require, though contrary to the actions of all his predeceſſours, and of Saint *Peter* himſelfe. And the contentions were like to proceed further. But the Legats, to giue ſome intermiſſion, to haue time to ſend the Pope the corrections of the *Vltramontans*, and receiue his command how to gouerne themſelues in the buſineſſe, that they might ſet another matter on foot which might make this to be forgotten, returned to the point of Reſidence; concerning which, *Loraine* and *Madruccio* had compoſed a forme, and preſented it ſome dayes before to the Legats, who, without conſidering of it, did approoue it, vpon the firſt ſight. Afterward, hauing conſulted with the Canoniſts, they diſliked one part, in which it was ſaid, that Biſhops are bound by the commandement of God, to attend and watch ouer the flocke, perſonally: and doubting that thoſe words would not pleaſe in *Rome*, they changed them, and ſo propoſed the forme in congregation. *Loraine* and *Madruccio* were much offended with this mutation, and thought they were diſparaged: and *Loraine* ſaid, that hereafter he would take no more care in thoſe things, nor treat with the Prelats, but onely giue his voice with modeſtie, and ſerue the Legats out of his loue, in any honeſt worke, as farre as hee was able. And *Madruccio* did not forbeare to ſay, that there was a ſecret Councell within the Councell, which did arrogate more authoritie. The Legates perceiuing that euery thing turned againſt them, cauſed the Congregations to be omitted. Neither was this ſufficient. For the Prelats made priuate congregations amongſt themſelues, and the Legats continuall conſultations. The Archbiſhop of *Otranto*, and others, who aimed at the Cardinalitie, of which they thought themſelues aſſured if the Councell were ſeparated, agreed together to oppoſe euery thing to make ſome tumult ariſe, and went paſſionately about, euen in the night alſo, making practiſes, and cauſing men to ſet their hand to papers. Which, though in effect it pleaſed the Legats, yet, for the manner, it diſpleaſed the moſt of them, as being of badde example, which might giue ſcandall. And, on the contrary ſide, there wanted not thoſe who deſired a diſſolution. But each partie expected an occaſion

A difference betweene the Italians & the Frenchmen about the Councels of *Conſtance*, *Baſil*, & *Florence*.

The Cardinals of *Loraine* and *Trent* are offended with the Legats.

A Councell within the Councell.

Practiſes to diſſolue the Councell.

occasion that the cause of it might be attributed to the other: so that the suspicions did encrease on both sides. 1563

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The Cardinall of *Loraine* complained to all, that plots were laid to dissolue the Synode, and especially to the Ambassadours of Princes, desiring them to write to their Masters, to perswade the Pope that the Councell may be continued, that the practises might be moderated, and the Fathers left to their libertie; saying, that otherwise a composition would be made in *France*, that euery one might liue as he would vntill a free Councell, as this was not, in which nothing could be resolued but as pleased the Legates, nor by the Legates, but as the Pope listed; that he would be patient vntill the next Session, and then, if he saw not things goe better, he would make his protestations, and, together with the Ambassadours and Prelates, returne into *France*, to make a Nationall Councel, in which perhaps *Germanie* would concurre with them; a thing which would be displeasing vnto himselfe, in regard of the danger that the Apostolique *Sea* would not be acknowledged any more. In those dayes many curriers passed betweene *Rome* and *Trent*. For the Legates aduised the frequent contradictions, and the Pope sollicited the proposing of the Canons which he sent. And the French-men in *Rome* made the same complaint to the Pope, which *Loraine* had done in *Trent*, and vsed the same threats of a Nationall Councell, and the assistance of *Germanie*. But the Pope, who had beene vsed to these things, said he was not daunted with words, was not afraid of Nationall Synods, did know that the French Bishops were Catholiques, and that *Germanie* would not subiect it selfe to their Councels. He said that the Councell was not onely free, but might be called licentious; that the practises of the *Italians* in *Trent* were not with his knowledge, but did arise because the *Vltramontans* would tread the Popes authority vnder their feete; that he hath had three good occasions to dissolue the Councell, but was willing it should continue, hoping that GOD would not abandon his Church, and that euery attempt against it would turne vpon the head of the Innouators. *Fiue Churches* departed, and went to the Emperours Court, in the time of these confusions, to giue his Maiestie an account of the state of the Councell, and of the combination of the Italian Prelats; and it was discouered that *Granata*, & his adherents, had desired him to perswade the Emperour to write to the Catholique King concerning the Reformation and Residence, that both in those, and in other occasions they might speake freely, according to their conscience; all which the Legats did beleeue to proceed from *Loraine*. And therefore, for a counterpoise, themselues also, a few daies after, sent the Bishop *Commendone* to the Emperour, vpon pretence to excuse, and render the causes why the demaunds of his Maiestie could not as yet be proposed. And they gaue him commission to exhort the Emperour to be content not to demaund of the Councell, but of the Pope himselfe, those points of his petition which concerne his authoritie; as also other instructions, such as seemed them good.

Of which the Card. of *Loraine* complaineth.

And of the want of liberty in Councel

As did also the French-men in *Rome*.

The Pope answereth resolutely.

But *Martinus Cramerus*, Bishop of *Varmia*, Ambassadour of the King of *Polonia* to the Emperour, beeing come to *Trent*, vpon pretence to visite the Cardinall of *Varmia*, his ancient and inward friend, there was a great suspition that he was sent by the Emperor, be an eye-witnes of the proceedings in Councell,

1563
Pius 4. Ferdinand.
Elizabeth. Charles 9. Philip 2.

Councell, and to relate them to him. All theſe things made the Legates doubt that the Councel would be diſſolued, in ſome manner diſhonourable to the Pope, and themſelues, obſeruing that it was deſired by many, euen by ſome of the Papalins themſelues, and that diſorders were purpoſely procured by others, to iuſtifie themſelues, in caſe it ſhould happen. They ſent vnto all the Ambaſſadours a writing, which conteined the preſent difficulties, and deſired their counſell. But the French Ambaſſadours anſwered, vpon this occaſion, that which they deſired to ſay many daies before; that as the Councel was aſſembled to remedy abuſes, ſo ſome were willing to make vſe of it to encreaſe them; that before any thing elſe were done, it was fit to withſtand ſuch manifeſt practiſes; that they were intolerable; that if they were remoued, and euery man had liberty to ſpeake freely what he thought, a good accord would eaſily bee made; that the Pope was Head of the Church, but not aboue it; that he was to gouerne and direct the other members, but not to domineere ouer the body; that to remedy the differences, it was neceſſary to follow the Councel of *Conſtance*, which hauing found the Church moſt diſorderly by meanes of theſe opinions, did reduce it into tollerable termes. They ſaid that one cauſe of diſcord was, becauſe the Secretarie did not ſet downe their voices faithfully, ſo that the greater part ſeemed in the acts, to be the leſſer, and that could not be taken for a reſolution which was concluded by the common opinion; and therefore that it was fitte to ioyne another with him. The Imperialiſts ſaid almoſt the ſame things, and were more earneſt for another Secretarie. The other Ambaſſadours ſtood vpon generall tearmes, deſiring a continuation of the Councell, and an vnion of mindes.

A free ſpeech vſed by the French Ambaſſadours.

Seconded by ỹ Imperialiſts.

The B. of *Vintimiglia* returneth to *Trent*.

Things ſtanding thus, *Ventimiglia*, rediſpatched by the Pope, returned to *Trent* the nine and twentieth of Ianuary, who made a relation of his credence to the Legates, and, by their aduice, ſought to remooue two opinions ſpread in the Councell: one, that the Pope could not liue long; the other, that hee deſired a diſſolution of the Councell. He teſtified the deſire of his Holineſſe, that laying aſide all contentions, they would labour for the ſeruice of God, and to end the Councell quickly. Hee ſpake of Bulls, of offices, and Benefices, conferred vpon ſome of the kinſmen of ſome Prelats, and a *Referendarieſhip* to the Secretarie of the Portugall Ambaſſadour, and a very great penſion to the ſonne of the Spaniſh Secretarie, and diuers promiſes to others, according to their pretenſions. But to the Cardinall of *Loraine* hee made great complements, in the Popes name, ſhewing that hee had confidence in him onely, for a ſudden and a good end of the Councell.

The Legats vſe perſwaſions to the Card. of *Loraine* by the B. of *Siniagalia*.

Who anſwereth.

The comming of the Biſhop of *Aſti*, the Ambaſſadour of the Duke of *Sauoy*, gaue a fit occaſion to reaſſume the congregations: in which the Legats deſigning, after they had receiued him, to renew the propoſition of the Canons, they ſent the Biſhop of *Siniagalia* to the Cardinall of *Loraine*, to pray him to finde a meanes that the French-men might bee ſatisfied. The Biſhop ſhewed him, that theſe words (*to gouerne the Church vniuerſall*) were vſed in many Councels; that the other (that they were aſſumed into part of the care) were vſed by S. *Bernard*, a writer much commended by his excellencie. The Cardinall anſwered, that the whole world was a ſpectator of the actions of

the

the Councell; that the opinions and voites of euery one were knowne; that one ought to beware what he saith; that writings had beene sent out of *France*, against the opinions maintained in *Trent* in the questions that were handled; that many complained of him that hee proceeded with two much respect, especially in that matter, and in that other of residence, that hee hath not beene so earnest as he ought for the declaration that they are *de iure diuino*; that by a word vsed by an Author one cannot presently conclude what his meaning was, because the antecedents and consequents must bee considered, which may inferre a contrarie sence; that the wordes doe not trouble him, but the sence, which they would canonize; that to say the Pope hath authoritie to gouerne the Church vniuersall, could not bee admitted by the French-men by any meanes; that, if it were proposed againe, the Ambassadours would protest in the name of the King, and of the twentie French Prelates, from whom they should alwayes haue authoritie to doe it; that this would bee a preiudice to the opinion which is generally holde in *France*; that the Councell is aboue the Pope. *Sinigaglia* relating these things to the Legates, in presence of many Italian Prelates, assembled to consult vpon this matter, made them feare that it was impossible to reduce the French-men. 1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES & PHILIP 2. The French opinion is that the Councel is aboue the Pope.

The comming of *Martin Guzdellun* of whom wee spake before, which happened at the same time, gaue great courage to the Spaniards; who, hauing seene the passages of one day, said, he vnderstood plainly that the Councell was not free. He praised *Granata*, and said the King had a very good opinion of him, and that if the Bishoprike of *Toledo* were voide, he would bestow it vpon him. Things being thus managed, sunday, the last of Ianuary came, when the generall congregation was intimated, to receiue the Ambassadour of *Sauoy*, who made a short speach, to shew the dangers in which the state of his Prince was by the vicinitie of the heretikes, and what charge he was put vnto; he exhorted them to finish the Councell quickly, and to thinke of some meanes to make the contumacious receiue the Decrees thereof, and offered all the forces of his master. In the answere made, the pietie and wisedome of that Duke was commended, and ioy giuen the Ambassadour of his comming. As the congregations continued, so the dissentions increased, and many demanded that the Decree of residence, composed by the two Cardinals, should be proposed. But the Legats, seeing such variety of opinions, after long consultation amongst themselues, and with the Prelates their friends, resolued it was not a time to make any decision, but necessarie to interpose so great a delay, that the humors might coole of themselues, or some meanes might bee found to compose the differences, by prolonging the time of the Session. And to make *Lorraine* agree to it, they went all to his house, to impart their purpose vnto him, and to demand his counsell and assistance. He complained of the conuenticles, and that they sought by vnlawfull meanes, to giue the Pope that which belongeth not vnto him, and to take from Bishops that which is giuen them by CHRIST: he said he did not like the deferring of the Sessiõ so long, though he was content to yeeld vnto them; but prayed them, that, in regard this was done to moderate mens minds, they would indeauor effectually to curbe those who were vnquiet and ambitious. *Martin Guzdellun* complaineth that the Councell is not free. The Ambassador of *Sauoy* is receiued in Congregation

1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

In the congregation of the third of Februarie *Mantua* proposed, that, in regard Lent was neere, and that the holy dayes and feasts of Easter would follow quickly, they would deferre the Session, vntill after that time, and, in the meane while, in the congregations, handle the reformation belonging to holy *Order*, and the matter of the Sacrament of mariage. But the proposition had much contradiction. The French and Spaniards, almost all, were earnest that a short prorogation should bee determined, and the matter of *Order*, together with its reformation, defined, before they treated of *Matrimonie*; to which opinion also some Italians did adhere. Others desired that the Session should be holde with the things decided alreadie, and in particular, that the Decree of residence, composed by the Cardinals, should bee established: and some added that it was a great indignitie to the Councell, to haue the Session so often deferred, shewing there was a desire to violence the Fathers by wearinesse, to consent to those opinions, which they did not beleeue in their conscience; and therefore that it ought to bee held, and matters to bee resolued by the maior part. Some did not forbeare to say, that the distinction of Session and generall congregation was not reall, and that, in regard the persons, and the same number were in both, that ought to be holde for decided in the one which was determined in the other. After great contention, the dilation vntill the two and twentieth of Aprill was concluded by the maior part, the others still contradicting. The Cardinall of *Loraine*, howsoeuer hee seemed to consent only to content the Legats, yet hee was willing, in regard of his owne interest; and that for foure causes. To know whether the Pope would recouer his health. To haue commoditie to treat with the Emperour. To vnderstand the Catholike Kings minde. And to see the successe of the affaires of *France*, that hee might resolue what to doe, vpon better ground.

No reall difference between a Session and a generall congregation.

The next day the French Ambassadours made a great and long instance to the Legats, to handle the reformation, and to propose their petitions, before they beganne to treate of Matrimonie. They answered, that the Synode was not to receiue lawes from others; that if things conuenient bee proposed by Princes, consideration is to bee had of them, at such times as the President shall thinke fit; that if, in their petitions, any thing bee found belonging to *Order*, they will propose it together, and afterwards the other things in their time. This answere not contenting the Ambassadours, they desired, that if they would not make the proposition, they would bee content that themselues might doe it, or else giue them a plaine negatiue; adding, as it were in forme of a protestation, that if they continued to giue those ambiguous answeres, they would holde them to bee equiualent to a scornefull negatiue. The Legats tooke three dayes time to giue a more precise answere, and, in the meane while, desired *Lorraine* to pacifie them, and to make them contented to expect vntill they had receiued an answere from *Rome* concerning the Articles which they had sent thither.

The next day the Articles of *Matrimonie* were giuen fourth, to be discussed by the Diuines, the weeke following; in which a dispute presently arose betweene the French and Spaniards, about precedence, which could not be

The Articles to be disputed.

composed

composed to the satisfaction of both parties, but by changing the order obserued vntill then, and by giuing precedence according to promotion vnto the doctorship. The Popes Diuines opposed, saying, that, the difficultie beeing betweene the *French* and *Spaniards*, the prouision should be made for them alone, and their place not altered, which was vndoubtedly the first. The Legates, saying they had reason, concluded that the first ranke, in which the Papalins were, should speake as formerly they had done, and the other three according to the order of promotion: wherewith the Frenchmen were not content, except one of them were put into the first ranke. The Spanish Secretary desired that a publique instrument might bee made of the decree, that it might appeare, that if any Frenchman speake before the *Spaniards*, it was not by reason of precedence of the Kingdome. In conclusion, to giue satisfaction to all, an instrument was made, and a grant to the Frenchmen, that, after *Salmeron*, the first of the Popish Diuines, the Deane of *Paris* should speake, and the others of the first ranke should proceede according to promotion.

1565
1584. Ferdinand.
Elizabeth. Charles 9. Philip 2.
A question of precedence betweene the French and Spanish Prelates.

The Articles were eight, vpon which they were to dispute whether they were hereticall, and ought to bee condemned. 1. That Matrimony is not a Sacrament instituted by God, but an humane introduction in the Church, and that it hath no promise of grace. 2. That the Parents may make voide secret marriages, and that those which are so contracted are not true mariages, yea, that it is expedient that hereafter they should bee made voide in the Church. 3. That it is lawfull, in case the wife bee diuorced for cause of fornication, to marrie another, in the life time of the former, and that it is an error to make a diuorce for any cause but fornication. 4. That it is lawfull for Christians to haue many wiues, and that the prohibition for marriage in certaine times of the yeere, is a tyrannie, which proceeded from the superstition of the Gentiles. 5. That Matrimonie ought to bee preferred before chastitie, and that God giueth more grace to those that are maried then to others. 6. That the Priests of the West may lawfully contract Matrimonie, notwithstanding the vow, or Ecclesiasticall law, and that to say the contrary is to condemne Matrimonie, and that all those who haue not the gift of chastitie, may marrie. 7. That the degrees of consanguinitie, and affinitie, mentioned in the eighteenth of *Leuiticus*, ought to be kept, and neither more nor lesse. 8. That inabilitie to carnall copulation, and ignorance in the contract of mariage are onely causes to dissolue Matrimonie contracted, and that the causes of Matrimony doe belong to Secular Princes. Of which Articles that they might briefly speake, they were diuided into foure parts, according to the foure rankes of Dinines, and two appointed for each.

The Bishop of *Renes*, Ambassadour of *France* to the Emperour, arriued in *Trent*; who, hauing treated with *Lorraine*, that Cardinall went to the Legates, and told them, that, euer since his departure out of *France*, hee hath had commission from the King to goe to the Emperour, which hee would doe within a few dayes, because hee would be in *Isprue*, and because *Renes* was come to fetch him. He gaue an account also of the iourney to the Pope by letters, in which hee touched the manner of the proceeding of the *Italians*

1563 Pius 4. Ferdinand. Elizabeth. Charles 9 Philip 2.

Discourses about the Cardinall of *Loraine* his going to *Isprue*.

lians in Councell; adding, that if they so continued, hee would pray God that hee might doe some thing for his holy seruice. They had talked of this iourney a moneth before, and therefore when it was published, the suspicions were not so great as if it had not been foreseen. All men assured themselues, that it was to make a combination concerning the Councell, and, particularly, to bring in the vse of the Cup: and the rather, because the Cardinall had said to many Prelates, vpon diuers occasions, that the Emperour, Kings of the Romanes, and of *France*, would neuer leaue to make petitions for Reformation, vntill they had obtained the vse of the Chalice, though they were to remaine two yeeres in Councell; but that fauour beeing granted, they would easily bee quieted, and that to giue satisfaction to those Princes, was the best meanes to retaine those Kingdomes in obedience; that it was impossible to obtaine it of the Pope, in regard of the opposition of the Cardinals, who abhorred the grant; that it was not hitherto obtained in Councell, because the businesse was not well mannaged, and that there was hope, that, vsing good meanes, it might bee gained. But those who did more attentiuely marke the Cardinals proceedings, obserued a great varietie in his speaches. For sometimes hee said, that, in case matters were not resolued, hee should bee forced to depart at *Easter*, or at *Whitsuntide*; sometimes, that hee would remaine in *Trent* two yeeres; sometimes proposing meanes to dispatch the Councell, and sometimes taking courses to make it euerlasting; manifest arguments, that as yet hee knew not his owne intention. And they suspected his cautelous proceeding, which did argue a desire to iustifie his reasons by Art, and make his cause honest. And considering that in *Isprue* would bee the King of the Romanes, the Duke of *Bauaria*, the Archbishop of *Salzburg*, and the Arch-duke *Ferdinand*, it was thought that this conference must needes produce some nouities; especially in regard of the small satisfaction which the Councell had hitherto giuen the Emperour, and of the vnion in all matters betweene *France* and him. And it might bee thought also that the King of *Spaine*, so neere vnto him in blood, would adhere to that partie; and the rather, because it was diuulged, that, by his letters of the eighth of Iune, hee had giuen commission to the Count of *Luna* to hold intelligence with the Emperour, and the King of *France*, in matters of reformation and libertie of the Councel. In these dayes Friar *Felicianus Ninguarda*, Proctor of the Archbishop of *Salzburg*, presented the letters of that Prince, and made instance, that the Proctors of the Bishops of *Germanie* might giue voice in Congregations; affirming, that, if it were granted, other Bishops of *Germanie* would send Proctors, if otherwise, both himselfe and others would depart, because they would not bee idle. It was answered, that consideration should bee had of it, and a resolution taken according to right. And they gaue an acount hereof to *Rome*, and would not resolue so much as this small particular without aduice from thence. But in regard of greater businesses in both places, there was no more speach of it.

The ninth of February the first Congregation of Diuines was holde, to dispute of Matrimonie. *Salmeron* spake in a very lofty stile; and concerning the first Article, deliuered the vsuall sayings of the Schoolemen. For the second, he alleadged the determination of the Councell of *Florence*, that

Matrimony receiueth perfection only by the consent of the contractors, neither hath the Father, or any other, any authority ouer it. He defended, that they ought to bee condemned for heretiques, who attribute power to the father to make it void; that the authoritie of the Church was very great concerning the matter of Sacraments; that it can alter whatsoeuer is not of the essence; that the condition of publique and secret beeing accidentall, the Church had power therein. Hee shewed the great inconueniences of secret mariages, and innumerable adulteries which follow; and concluded that it was expedient to vse a remedie, by making them voide. Hee insisted much vpon this inextricable case; if, after matrimony contracted and consummated in secret, one doth contract in publique with another, from which beeing desirous to depart, and returne to the first lawfull wife, is forced by censures to remaine in the publique contract; the poore man is intangled on both sides, either in perpetuall adultery, or in censures, with scandall of his neighbour. 1563. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The next day the Deane of *Paris* followed; who spake copiously, out of schoole doctrine, of the institution of marriage, of the grace which is receiued in it, and of condemning him that doth affirme it to bee an humane inuention. But vpon the article of clandestine matrimonie hauing disputed, that they were true mariages and sacraments, he put a doubt whether the Church hath power to make them void. He contradicted the opinion, that there is authority in the Church ouer the matter of Sacraments; he discoursed that the Church cannot make any Sacrament which is now lawfull, to be of no force for hereafter; hee exemplified in the consecration of the Eucharist, and went through all the Sacraments. Hee saide the Ecclesiasticall power was not such, as to bee able to hinder all sinnes; that the Christian Church hath beene 1500. yeeres subiect to that which is now described to bee intolerable, and, (which is of no lesse importance) secret mariages haue beene accounted good euen from the beginning of the world, and no man hath euer thought to make a nullity in them, howsoeuer a publique contract hath often followed them; that it seemeth to bee insoluble, though it hath inconueniences on both sides; that the mariage of *Adam*, and *Eue*, a patterne for all other, was without witnesses. The opinion of the Doctor was not disesteemed; but the *Italian* Prelats were well pleased, that, hauing once named the Pope, hee gaue him this Epithite, with the exposition following, *Gouernour and moderator of the Roman Church*, that is, *of the Vniuersall*. And this did minister much discourse. For the Papalins concluded, that it might likewise be said in the Canon of the Institution, that the Pope hath power to gouerne the Vniuersall Church. But the French-men answered, that there was great difference betweene saying absolutely the Church Vniuersall, by which is vnderstood the vniuersality of the faithfull, and saying the Roman Church, that is the Vniuersall, where the word Roman doth declare the word Vniuersall, inferring that hee is Head of the Vniuersall, and that all places, in which authority is giuen to the Pope ouer all the Church, are vnderstood disiunctiuely, not coniunctiuely, that is, ouer euery part of the Church, not ouer all together.

The eleuenth of February, the French-men presented, in Congregation, a

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

letter from their King, of the eighteenth of Ianuary; in which hee said, that howsoeuer he was assured that the Cardinall of *Loraine* had imparted to the Synode, the happy victory against the enemies of religion, whose boldnesse hee hath and doth daylie oppose without respect of difficulty, or danger, euen exposing his owne life, as becommeth the eldest and most Christian sonne of the Church, yet himselfe was willing to make them partakers of the same ioy also, knowing that the wholesome remedies, for the euills which doe afflict Christian Prouinces, haue alwaies beene expected from Councels. He desired of them, in the name of CHRIST, an emendation and reformation, answerable to the expectation the world hath conceiued of them; and that as himselfe, and so many besides, haue consecrated life and blood to God in those warres, so they, in respect of their charge, would, with sincerities of conscience, be carefull of the businesse for which they are assembled. The letters being read, the Ambassadour *de Ferrieres* spake to the Fathers in this substance. That they hauing vnderstood by the Kings letters, and before by the orations of the Cardinall of *Loraine*, and Bishop of *Mentz*, the desolation of *France*, and some victories of the King, he would not relate them againe, but onely say, that the last, in regard of the forces of the enemie, was miraculous; whereof this is an argument, that beeing ouercome, yet hee doth liue, and committeth spoiles, running through the very bowels of *France*. But hee said, hee would turne his speech to them onely, who are the onely refuge of the miseries, without whom *France* will not be able to preserue the tables of shipwracke. Hee exemplified in the armie of *Israel*, which had not beene able to ouercome *Amalec*, if the hands of *Moyses*, lifted vp to God, vnderproped by *Aaron* and *Vr*, had not assisted the combattants; that the King of *France* doth not want forces, a valiant Captaine the Duke of *Guise*, the Queene Mother, to mannage the affaires of warre and peace; that there is no other *Aaron* and *Vrre* but themselues, to hold vp the hands of the most Christian King, with Decrees of the Synode, without which the enemies will neuer be reconciled, nor the Catholiques preserued in the faith; that the humour of Christians now, is not the same as it was fiftie yeeres since; that all Catholiques are now like to the *Samaritanes*, who did not beleeue the womans relation of CHRIST, vntill they had inquired, and informed themselues; that a great part of Christendome doth study the Scriptures, and that the most Christian King, had giuen no instructions to his Ambassadours, but conformable to them, which they haue presented to the Legates, who presently will propose them, as they haue promised, to them the Fathers, to whom the most Christian King doth principally send them, expecting their iudgement vpon them; that *France* doth not demand any singular thing, but common to all the Catholique Church; that if any maruell that the most necessary things are omitted in the propositions, hee may assure himselfe that they beginne with the smaller matters, that they may propose the other of more weight, in their fit time, as also to giue an easie execution to those; which if they the Fathers will not beginne before they depart from *Trent*, the Catholiques will cry out, the aduersaries will laugh, and will both say, that the Fathers of *Trent* doe not want knowledge, but a will to doe good, and that they haue constituted good lawes, without

Letters from the French K. are presented in Congregation.

And *de Ferrieres* maketh a speech.

touching

touching them ſo much as with one of their fingers, but leauing the obſer- 1563
uation of them to their poſterity. And if, in the demands exhibited, any doe thinke that ſome thing is contained conformable to the bookes of the aduerſaries, he holdeth them vnworthy of anſwere: to thoſe who hold them immoderate, he will ſay nothing but that of *Cicero*, that it is an abſurdity to deſire temperance of mediocrity in the beſt things, which are ſo much the better, by how much the bigger they are. He ſaid the holy Ghoſt did ſay to lukewarme moderators, that he would caſt them out of the body; that they ſhould conſider the ſmall good the Church had, by the moderate reformation of the Councel of *Conſtance*, and of the next, which he would not nominate, for feare of offending the eares of ſome; and likewiſe of the Councels of *Ferrara*, *Florence*, the *Lateranē*, and the firſt of *Trent*, and how many ſorts of men, how many Prouinces, Kingdomes, and Nations, haue ſince departed from the Church. Hee turned his ſpeech to the Italian and Spaniſh Fathers, that a ſerious emendation of Eccleſiaſticall diſcipline was more for the good of them, then of the Biſhop of *Rome*, the chiefe Vicar of CHRIST, and ſucceſſour of *Peter*, who hath the higheſt authority in the Church of God, that their life and honour was in queſtion, and therefore that he would ſay no more.

PIVS. 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The Card. of Lorraine ſpeaks to Iſpres.

A diſpenſation to marry for the Card. of Bourb. Card. Alimp is to be Generall of the Pope's army.

In the anſwere to the letters and the Ambaſſadours Oration, the King was commended for his pious & noble actes, and exhorted, as if hee had been preſent, to imitate his predeceſſors, turning all his cogitations to the defence of the Apoſtolike *Sea*, and preſeruation of the ancient faith, and to giue eare to thoſe who preach vnto him the Kingdome of God, and not to thoſe who preach a preſent vtility, and an imaginary tranquillity, which will neuer be a true peace; adding, that the King would ſurely doe ſo by the helpe of GOD, and in regard of the goodneſſe of his diſpoſition, of the counſell of the Queene Mother, and of the Nobility of *France*; that the Synod will labour to define things neceſſary for the reformation of the Church vniuerſall, and for the good and intereſts of the particular of the Kingdome of *France*. In the end of the Congregation, the Cardinall of *Mantua* propoſed, that, to make a more quicke diſpatch, the Congregations of the Diuines might bee held twice a day, and Prelates deputed to propoſe the correction of the abuſes, in the matter of *Order*; and ſo it was decreed. The anſwear.

The biting ſpeach of the Ambaſſador did pearce the mindes of the Papalins; and particularly, when hee ſaid, that the Articles were addreſſed principally to the Synod: Which words they thought were contrary to the Decree, that the Legates onely ſhould propoſe, a principall ſecret to preſerue the Popes authoritie. But they were moued more, that hee ſaid that he had deferred the propoſition of more important matters, vntill another time; whence they drew great conſequences, eſpecially hauing alwayes feared, that they had not as yet diſcouered their deſſeignes, and that they did plot greater matters. As alſo to ſpeake vnto the Italian and Spaniſh Fathers, as if they had other intereſts then the Pope, ſeemed a ſeditious manner of treating. The Ambaſſadour gaue a copie of his Oration; and by thoſe wordes which hee ſpake of the Pope, *That hee hath ſupreme authoritie in the Church of God*, ſome Popiſh Prelates noted, that, in reciting them, hee had ſaid,

Who

1563 Who hath full power in the Church vniuersall; drawing them to the fauour of their opinion, and disputing that it was as much to haue full power in the Church vniuersall, as to gouerne the Church vniuersall, which the Frenchmen did so much abhorre, in the Decree of the institution. But himselfe, and the other Frenchmen affirmed that hee had pronounced them as they were written.

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The Card. of *Loraine* goeth to *Isprue*.

The next day *Loraine* went to *Isprue*, to visite the Emperour and King of the Romans, accompanied with nine Prelats, and foure Diuines of the most learned amongst them. He had first a promise from the Legats, that, while hee was absent, the article of the marriage of Priests should not be handled, which he did instantly desire, that nothing might be determined, or preconceiued contrary to the commission which he had from the King, to obtaine of the Councell a dispensation for the Cardinall of *Bourbon* to marry. Cardinall *Altemps* also went to *Rome*, recalled by the Pope, to be Generall of the souldiers, which he purposed to raise for his owne securitie. For vnderstanding that leuies were made in *Germanie*, by the Dukes of *Saxony* and *Wittenberg*, and by the *Landgraue* of *Hassia*, howsoeuer it was generally beleeued, that all was done to assist the *Hugonots* of *France*, yet considering that the Count of *Luna* had written, that the Dutchmen had a great desire to inuade *Rome*, and did remember the sacke sixe and thirtie yeeres since, hee thought it was wisedome not to be vnprouided, and, for the same cause, reuiued the treatie of making a combination with all the Italian Princes, for the defence of religion.

A dispensatiō to marry for the Card. of *Bourbon*.

Card. *Altemps* is to be Generall of the Popes army.

In the congregations, the Diuines of the first ranke did vniformely agree in condemning the first article, & euery part thereof, as hereticall; as also the second, saying that secret marriages were true mariages. But there was the difference before mentioned betweene *Salmeron* and the Deane of *Paris*, whether the Church hath power to make them voide. Those who held the negatiue, stood vpon that ground, that the matter, forme, minister, & receiuer are essential in euery Sacrament, in which, as being instituted by God, no Ecclesiastical power hath any thing to doe. They said that the Councel of *Florence* hauing declared, that the consent of the parties onely is necessary to matrimonie, he that would inferre the word, Publique, for a necessarie condition, doeth inferre, that the consent only is not sufficient, and that the Councell of *Florence* hath failed in a necessarie declaration. That CHRIST said in generall of Matrimonie, that man cannot separate that which GOD hath ioyned, meaning both the publique and the secret coniunction. That in the Sacraments nothing ought to be affirmed without authoritie of the Scriptures, or tradition, neither of which doe allow this authoritie to the Church; yea by tradition wee finde the contrary, because all Churches, in all nations throughout the world are vniforme, in not pretending any power herein. On the contrary, it was said to be a cleere case, that the Church hath power to make any man vncapable of marriage, because many degrees of consanguinitie and affinitie are made hinderances by the Ecclesiasticall law onely; and likewise the impediment of a solemne vow was made by the Popes law; and therefore secrecie may be likewise made an impediment, by the same authoritie. The other part answered, that the prohibition by reason of kinred, is

de

1563
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

de iure diuino, as Saint *Gregory* the Pope, and many of his ſucceſſours haue determined; that matrimony cannot be contracted betweene two, vntill it be knowen in what degree of kinred they are ioyned, and if other Popes haue reſtrained this vniuerſalitie to the ſeuenth degree, & afterwards to the fourth, this was a generall diſpenſation, as diuorce was to the Iewes, and that a ſolemne vow doeth hinder *de iure diuino*, not by the Popes authoritie.

But *Camillus Campegius*, a Dominican Friar, agreeing with the others, that no humane power is extended to the Sacraments, added, that whoſoeuer can deſtroy the eſſence of the matter, can alſo make it vncapable of the Sacrament; that no man can make water not to be the matter of *Baptiſme*, or ſome bread of wheat not to be the matter of the *Euchariſt*; but hee that ſhall deſtroy the water, turning it into aire, or ſhall burne the bread, turning it into aſhes, ſhall make thoſe matters not to be capable of the forme of the Sacraments. So in matrimonie, the ciuill nuptiall contract is the matter of the matrimoniall Sacrament, by diuine inſtitution; which being deſtroyed, and made of no force, can no more be the matter of it. Therefore it cannot be ſaid that the Church can make a nullitie in the ſecret marriage, for ſo it would haue authoritie ouer the Sacraments, but it is true that the Church can nullifie a ſecret nuptiall contract, which, as being void, cannot receiue the forme of a Sacrament. This doctrine did much pleaſe the generalitie of the Fathers, becauſe it was plaine, eaſie, and reſolued all the difficulties. But *Antonius Soliſius*, who ſpake after him, did contradict, ſaying, the ſpeculation was true, but could not be applyed to this purpoſe. For the reaſon, as it is meant of Baptiſme and the Euchariſt, that whoſoeuer doeth deſtroy the water and the bread, doeth make them vncapable of the formes of thoſe Sacraments, doeth not argue an Eccleſiaſticall power, but a naturall, ſo that whoſoeuer hath vertue to deſtroy the water, may, by this meanes, hinder the Sacrament; whereby it would follow, that hee that can nullifie a ciuill nuptiall contract, may hinder Matrimonie, but the annullation of ſuch contracts belongeth to the ciuill Lawes, and to ſecular Magiſtrates; therefore they muſt take heede, leſt while they would giue authoritie to the Church to make voide ſecret marriages, it be not rather giuen to the ſecular power.

Amongſt thoſe who attributed this power to the Church, it was diſputed whether it were fit that the Church ſhould vſe it. And there were two opinions. One, to make voide all the ſecret, in regard of the inconueniences which enſue. The other, that the publique, made without conſent of parents, in whoſe power they are, ſhould be made void alſo. And theſe alleadged two reaſons; one, that as great inconueniences did follow by theſe, in reſpect of the ruines which happen to families, by marriages vnaduiſedly contracted by young men: the other, that the Law of GOD, commanding obedience to parents, doeth include this caſe, as principall. That the Law of GOD doeth giue this particular authoritie to the Father, to giue his daughter in marriage, as it plainely appeareth in Saint *Paul* and *Exodus*. That there are examples of the Patriarkes in the olde Teſtament, all married by their fathers. That the humane ciuill Lawes haue eſteemed the marriages voide, which haue beene contracted without the father. That as then it was iud-

ged

1563
Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

ged expedient to nullifie secret marriages, so now, seeing that the Popes prohibition is not sufficient, which hath forbidden them without addition of nullitie, there is more reason, in regard the malice of man will not obey the Law of God, which forbiddeth to marry without consent of parents, that the Synod should adde vnto it a nullitie also; not because the Fathers haue authortie to make voide the marriages of children, which is heresie to affirme, but because the Church hath authoritie to nullifie both these and other contracts, prohibited by diuine or humane Lawes. This opinion, as honest, pious, and as well grounded as the other, pleased many of the Fathers. And so was the decree framed, howsoeuer the publication was omitted, for causes which shall be related hereafter.

The Legats dare not propose the article of the institution of Bishops.

But the Prelates did not forbeare to discusse the controuersies about the Popes authoritie, and institution of Bishops. And the Frenchmen did persеuere in their resolution, not to admit the words, *Church vniuersall*, lest they should preiudice the opinion holde in *France*, of the superioritie of the Councell; and if it had beene proposed, would haue made protestation of the nullitie, and departed. The Pope wrote it should be proposed, whatsoeuer did follow. But the Legats fearing that euery little stirre would be much out of season now the Emperour was so neere, wrote backe, that it was better to deferre it vntill the article of Matrimonie was finished.

The seuenteenth of February Father *Soto* was the first that spake in the second ranke; who, vpon the article of diuorce, did first distinguish the matrimoniall coniunction into three parts: the bond, the cohabitation, and the carnall copulation: inferring that there were as many separations also. He shewed at large that the Ecclesiasticall Prelate had authoritie to separate the married, or to giue them a diuorce, in respect of cohabitation, and carnall copulation, for all causes which they shall iudge expedient and reasonable, the matrimoniall bond still standing sure, so that neither can marry againe; saying, that this was it which was bound by God, and could not be loosed by any. He was much troubled with the wordes of S. *Paul*, who granteth to the faithfull husband, if the vnbeleeuing wife will not dwell with him, to remaine separated. Hee was not contented with the common exposition, that the Matrimonie of the vnbeleeuers is not insoluble, alledging, that the insolubilitie is by the law of Nature, as also the words of *Adam*, expounded by our Saviour, and the vse of the Church, that married vnbeleeuers, after they haue beene baptized, are not married againe; and that their matrimonie is not different from that of the faithfull. And he resolued to approue the exposition of *Caietan*, that the separation, mentioned by S. *Paul*, of the faithfull from the vnbeleeuer, is not vnderstood of the matrimoniall bond, and that it was a thing worthy to be considered by the holy Synod. For Fornication he said, that it ought not to be a cause of separation from the bond, but from copulation, and cohabitation onely. But he found himselfe much intangled, because hee had said first that diuorce might be granted in many respects, and for many causes, whereas the Gospel doth admit but one, which is fornication, which must needs be vnderstood in respect of the bond, because diuorce in the other two respects may haue many causes. Hee gaue many expositions of that place of the Gospel, without approouing or disproouing

1563
PIVS 4.
FERDINAND.
ELISABETH.
CHARLES 9.
PHILIP. 2.

prooving any of them; and concluded that the article ought to be condemned, because the contrary is made an article of faith, by Apostolicall tradition, howbeit the words of the Gospel are not so plaine as that they are sufficient to convince the *Lutherans*.

Concerning the fourth article of *Polygamie*, hee said it was against the law of Nature, nor could be permitted, so much as to infidels, who are subiect to Christians. Hee said the ancient Fathers had many wives by dispensation, and the others, who were not dispensed with by GOD, did live in perpetuall sinne. For the prohibition of marriages at certaine times, he briefly alleadged the authoritie of the Church, and the disconuenience of marriage with some times: and tooke this occasion to say, that no man had reason to be grieued, because the Bishop might dispence. Hee returned to the causes of Diuorce, and concluded that the world would not complaine of any of these things, if the Prelats did vse their authoritie with wisdome, and charity. But the cause of all the euils is, because they doe not reside, but giue the gouernment to a Vicar, and, often times, without conuenient maintenance, so that Iustice is ill administred, and *graces* not well bestowed. And here he spake at large of Residence, saying, that if it were not declared to be *de iure diuino*, it was impossible to remoue those and other abuses, and to stop the mouthes of heretiques, who not obseruing that the euill commeth from the bad execution, lay the blame vpon the Popes constitutions; and therefore the Popes authority will neuer be defended well, but by Residence well established; nor that well executed without the declaration, *de iure diuino*; and that they did notoriously erre, who thought it preiudicial to the authoritie of the Pope, whereas it is the onely foundation to vphold and preserue it. Hee concluded, that the Councell was bound to determine the truth, and spake with such efficacie, that hee was willingly heard by the *Ambassadors*, but did displease the *Papalins*, who thought the time impertinent to touch that matter. And it gaue occasion to both parties to renew their practises.

In the Congregation of the twentieth of February, *Iohn Ramirez*, a Franciscan Friar, after hee had spoken vpon the same Articles, according to the common opinion of Diuines, of the indissolubility of mariage, said, that the same reasons which are betweene man and wife, are also betweene the Bishop and the Church, and that as the man ought not to depart from his wife, so ought not the Bishop to depart from his Church, and that this spirituall bond was of no lesse force then the other which was corporall. Hee alleadged *Innocence* the third, who decreed that a Bishop could not be transferred but by diuine authority, because the matrimoniall bond, which is lesse (said the Pope) cannot be dissolued by any power of man. And he was copious in shewing that the Popes authority was rather increased then diminished hereby, who, as a generall Vicar, might make vse of Bishops in another place, where there was more need: as the Prince may employ learned men for publique occasions, sending them to other places, without dissoluing the matrimoniall bond. And hee laboured to resolue the contrary reasons with much prolixity.

In the Congregation of that afternoone, Doctor *Cornejo* said, that both these Articles, the third and fourth, were hereticall, because they were condemned

1563
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

demned by many *Decretals* of Popes, and exalted the authority of the Apostolique Sea in many words, saying, that all ancient Councels, in the determinations of faith, did perpetually follow the authority and will of the Pope. Hee exemplified in the Councel of *Constantinople* in *Trullus*, which followed the instruction sent by Pope *Agathone*; the Councel of *Chalcedon*, which did not onely follow, but worship the sentence of St. *Leo* the Pope, calling him also Ecumenicall, and Pastor of the Vniuersall Church. And after hee had alleadged many authorities and reasons, to shew that the words of Christ, spoken to Saint *Peter* (*Feede my sheepe*) doe signifie as much as if he had said, rule and gouerne the Church Vniuersall, he amplified very much the Popes authoritie in dispensations, and other things also. Hee brought the authoritie of the Canonists, that the Pope may dispence against the Canons, against the Apostles, and in all the law of God, except the Articles of faith. In the ende, hee alleadged the Chapter, *Si Papa*, that euery one ought to acknowledge that his saluation doeth depend, after God, vpon the holinesse of the Pope; amplifying these wordes, because they proceede from a Saint, and a Martyr, of whom no man can say that he did respect any thing but the trueth.

At this time *Commendone* returned from the Emperour, whose negotiation had not that successe as the Legats desired. For the Emperour, hearing his propositions, answered, that hee must haue time to thinke on them because of their importance, and that he would consider of them, and answere the Councell by his Ambassadour. Hee presently gaue an account heereof by letters, adding, that hee found the Emperour was grieued, and had an ill conceit of the actions of the Councell. Being now returned, hee saide further, that, by the words of his Maiestie, and by that which hee had vnderstood by his counsellers, and obserued by their proceedings, hee thought hee knew that hee was so firme in that bad opinion, that hee feared some disorder would insue. That, as farre as he could comprehend, the cogitations of his Maiestie were wholly bent to obtaine a great reformation, with such prouisions as that it might bee obserued; and that hee could certainely affirme, that he would not bee content that the Councell should bee finished. That he had vnderstood, that *Delphinus*, the *Nuncio* resident, hauing named suspension or translation, the Emperour was offended. Then hee related that there was an opinion in that Court that the Catholique King held intelligence with the Emperour concerning the affaires of the Councel, which hee did beleeue, because he was assured that the Spanish Prelates had sent letters to him, in which were complaints against the proceedings of the Italians, and many Articles of Reformation; which 'tis like they would not dare to doe, except they knew their Kings minde. Hee said also, that the Count of *Luna*, when the Popes ministers had spoken of the too much licence of the Spanish Prelates in their speaches, answered thus; what could bee done if those Prelates should say that they spake as they thought in their conscience? Hee sayd moreouer, that in the conference hee will haue with the Cardinall of *Loraine*, hee was of opinion that they would conclude to make their petitions to bee proposed by the Ambassadours; and that his Maiestie had caused his Diuines to consult vpon them, and vpon other con-

The relation of *Commendone* returned from the Emperor.

ciliarie

ciliarie affaires; and that howsoeuer himselfe and the *Nuncio Delphinus* had vsed much diligence, yet they were not able to learne the particulars. 1563

But within a short time they came to light. For the Iesuite *Canisius* wrote to the Generall *Laynez*, that the Emperour was ill affected towards the Councell, and made many points to bee consulted on, that hee might resolue how to proceede, in case the Pope did persuere in refusing to propose the reformation, or in giuing words contrary to his deeds. One point was, what the Emperours authoritie might be in Councell; and that *Fredericus Staphilus*, Confessor to the Queene of *Bohemia*, was the chiefe man in the consultation. *Canisius* desired that one of the Societie might bee sent vnto him, whom he might bring into the consultation, and by him discouer all. Whereupon *Laynez* hauing conferred with Cardinall *Simoneta*, they resolued to send Father *Natalis*, by whom all was discouered. And the Articles consulted on were seuenteene. 1. Whether a generall Councell, lawfully assembled by the fauour of Princes, may change the order determined by the Pope to be obserued in handling the matters, and bring in a new manner. 2. Whether it be profitable for the Church that the Councell should handle matters, and determine them as it is directed by the Pope or Court of *Rome*, so that it may not doe otherwise. 3. Whether, if the Pope die in time of the Councell, the Fathers thereof ought to choose another. 4. What the Emperours power is, the *Sea* of *Rome* being voide, and the Councell open. 5. Whether, when matters are handled concerning the peace and tranquilitie of the Christian common-wealth, the Ambassadours of Princes ought to haue a deciding voice, howsoeuer they haue it not concerning matters of faith. 6. Whether Princes may recall their Orators and Prelates from the Councell, without imparting it to the Legats. 7. Whether the Pope may dissolue or suspend the Councell without the participation of Princes, and especially of the Emperour. 8. Whether it bee fit that Princes should interpose, to cause more necessarie and expedient matters to bee handled in Councell. 9. Whether the Orators of Princes may expound to the Fathers in person, those things which the Princes commit vnto them, to bee expounded. 10. Whether a meanes may bee found, that the Fathers, sent by the Pope and Princes, may bee free in giuing their voyces in Councell. 11. What course may bee taken, that the Pope and Court of *Rome* may not interpose in ordayninig that which is to be handled in Councell, that the libertie of the Fathers may not bee hindered. 12. Whether a meanes may bee found that no fraude, violence, or extortion bee vsed in deliuering the opinions of the Fathers. 13. Whether any thing may bee handled, bee it point of doctrine, or reformation of the Church, before it bee discussed by the learned. 14. What remedie may bee found, if the Italian Prelates doe continue their obstinacie in not suffering matters to be resolued. 15. What remedie may bee vsed to hinder the combining of the Italian Prelats, when the Popes authoritie is in question. 16. How the practises may bee remoued which hinder the determination of the point of residencie. 17. Whether it bee seemely that the Emperour should personally assist in Councell.

Pivs 4. Ferdinand. Elizabeth Charles 9. Philip 2.

Points consulted on in the Emperours court.

In number 17.

But a long and serious consultation was held in *Rome*, whether the petitions

A consultation in *Rome*.

1563
Pius 4.
Ferdinand.
Elizabeth
Charles 9.
Philip 2.

titions of the French-men ought to be propoſed: and they conſidered not ſo much the weight of the things themſelues, as the conſequences thereof. For obſerning what *de Ferrieres* had ſaid in his Oration, that the petitions exhibited were of the lighter ſort, and that others remained of more weight, they coniectured that the French-men, hauing not made thoſe demands becauſe they deſired to obtaine them, they aimed to make entrance by that way, to propoſe others which they had in their minde, and that, by theſe which they call light, the gate being opened, paſſage might not bee denied them what attempt ſoeuer they would make beſides. For theſe and other reſpects it was reſolued to write to the Legates, that, abſolutely, they ſhould not bee propoſed, nor a negatiue giuen, but onely a delay interpoſed, and the meanes they were to vſe, were written alſo. At the ſame time, a writing of an vncertaine Authour came from *Rome*, in anſwere of thoſe petitions, which immediately was ſpread in *Trent*, and in the Emperors Court. And it was beleeued in *Rome*, that, by theſe means, they had giuen a good coũterpoiſe to the inſtances of the French-men. But the Pope was more troubled with the nouitie at the Emperours Court to conſult of matters ſo preiudiciall to him, knowing well that the Papall dignitie is preſerued by the reuerence, and certaine perſwaſion of Chriſtians that it cannot bee called into queſtion, and that when the world doeth begin to examine matters, apparant reaſons will not be wanting to diſtrube the beſt things. He obſerued that his predeceſſors had vſed potent remedies in like occaſions, and that when the foundation of faith is queſtioned, that precept, to reſiſt the beginnings, taketh place. For as, in the breaches of riuers, if the ſmalleſt ruptures be not ſtopped, the chanell cannot be kept full, ſo when there is but a ſmall ouerture againſt the ſupreame authoritie, and not ſtopped, it is eaſily caried to an abſolute downefall. Hee was counſelled to write a *Briefe* to the Emperour, concerning this his diſtaſte, as *Paul* the third did to the Emperour *Charles*, about the *Colloquies* of *Spira*, and reprehend him for queſtioning thoſe Articles, as things that are moſt cleare, & in another *Briefe* to reproue the Counſellers, for perſwading him to it, and to admoniſh the Diuines who haue aſſiſted in the buſineſſe, to ſeeke an abſolution from the cenſures. But hauing thought well on it, hee conſidered that the ſtate of things was not then as it was vnder *Paul*. Firſt, becauſe that diſputation was publike, whereas this was priuate, and concealed of purpoſe that it might not bee knowne, ſo that hee might diſſemble all notice of it, whereas if it ſhould continue after his publike reprehenſion of it, hee ſhould put himſelfe into greater danger; that it was conuenient to ſtand vnited with the Pope that hee might not ſubiect himſelfe to the Dutch Princes, whereas this Emperour is, as it were, ſubiect vnto them alreadie; finally that this remedie might bee deferred, becauſe it would alwayes bee in ſeaſon, but by diſſembling a while, hee might obliquely make tryall to hinder the reſolution of the conſultations which were made, by ſending the Cardinall of *Mantua* to his Maieſtie.

A writing publiſhed in *Rome* againſt the French petitions.

Diſpleaſeth the Frenchmen, and the Emperour.

The writing which went about againſt the petitions of the Frenchmen, did not onely diſpleaſe them, who tooke it for an affront, but the Emperour alſo very much. And the Legates hauing receiued commiſſion from *Rome* concerning

concerning them, were but ill satisfied, and thought that this was not to giue commission to Presidents of Councell, but aduertisments rather to ministers to make vse of in treaties by way of negotiation. They wrote backe onely to demand what they should doe, in case the Imperialists should make instance to haue their petitions proposed: and they caused *Gabriel Paleotto*, Auditor of the *Rota*, to write a full information of the difficulties, which they sent. But the Cardinall of *Mantua*, in regard the Emperour had tolde *Commendone*, that hee would giue answere to the Councell by his Ambassadour, thought it not conuenient to goe vnto him before they receiued their resolution: besides, the Cardinall of *Loraine* being at the Emperors Court, and the effect of his negotiation not kowne, hee should be doubtfull in what manner to proceede. Vpon these reasons hee excused himselfe to the Pope, and besides wrote to him with his owne hand, that hee had not a face to appeare any more in Congregation, to giue wordes onely, as hee had done two yeeres together; that all the ministers of Princes doe say, that howsoeuer his Holinesse doth promise much for Reformation, yet seeing nothing to bee executed, they doe not thinke hee hath any inclination to it; who if hee had performed his promises, the Legates could not haue beene wanting to giue satisfaction to the instances of so many Princes. Neither ought any to maruaile that this Cardinall, a Prince conuersant so many long yeeres in many great affaires, and of a most compleate conuersation, should vse this passage with his Holinesse, it beeing a thing naturall to men that are neere their graue, for some intrinsicall cause, vnknowen euen vnto themselues, to bee distasted with humane matters, and to neglect pure ceremonies; to which gaole hee was then very neere, there remayning but sixe dayes of his life from the date hereof.

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

The Card. of *Mantua* writeth freely to the Pope.

But in the Congregation, the last that spake in the second ranke was *Adrian*, a Dominican Friar; who, touching but lightly the matter in question, discoursed at large of dispensations, and, with Theologicall tearmes and formes, defended the things mentioned by Doctour *Cornisius*, and spake of them, not without scandall. Hee sayd that authoritie to dispence in humane lawes, was absolute, and vnlimited in the Pope, because hee was superiour to them all; and therefore when hee did dispence, though without any cause, the dispensation was notwithstanding to bee held for good: that in diuine lawes he had power to dispence, but not without a cause. Hee alleadged Saint *Paul*, who saith, that *the Ministers of* CHRIST *are the dispencers of the mysteries of God*; and that to him the Apostle *dispensation of the Gospel had beene committed*. Hee added, that howsoeuer the Popes dispensation concerning the Diuine Law bee not of force, yet euery one ought to captiuate his vnderstanding, and beleeue that hee hath granted it for a lawfull cause, and that it is temeritie to call it into question. Then hee discoursed of the causes of dispensations; which hee reduced to publique vtilitie, and charitie towards priuate men. This discourse gaue occasion to the French men to speake of the matter, with the ill satisfaction of the Papalins.

The second ranke hauing made an end of speaking, for obseruation of the

1563 promiſe made to *Loraine*, not to handle the mariage of Prieſts in his abſence, they changed the order, and made the fourth ranke ſpeake next. *Iohn Verdun*, handling the ſeuenth Article of the degrees of affinitie and conſanguinitie, paſſed immediatly from it, and came to the matter of diſpenſations, and ſeemed to haue none other aime, then to contradict Friar *Adrian*, labouring to weaken the Popes power. Firſt hee expounded the places of Saint *Paul*, That *the Miniſters of* CHRIST *are the diſpenſers of the myſteries of God, and of the Goſpel*, and ſaid the gloſſe was contrary to the text. For the place doth not prooue a diſpenſation, that is, a diſobligation from the Law, but a publiſhing and declaring the diuine myſteries, and the word of God, which is perpetuall, and remaineth inuiolable for euer. Hee granted, that in humane lawes a diſpenſation might lie, in regard of the law-makers imperfection, who could not foreſee all caſes, and, making generall lawes, muſt needes reſerue power to him that gouerneth the Common-wealth, becauſe of ſundrie occurrences, which may bring exceptions in particular matters. But where God is the Law-giuer, from whom nothing is concealed, and by whom no accident is not foreſeene, the Law can haue no exception. Therefore the law of God and Nature ought not to be called a written Law, which in ſome caſes ought to bee expounded, and made more gentle, but all that Law is euen equitie it ſelfe. In humane lawes, in which ſome caſes, by reaſon of particular accidents, if they had been foreſeene, would not haue been comprehended, a diſpenſation may well bee granted. But the diſpencer cannot, in any caſe, free him that is bound, and if hee denie a diſpenſation to him that deſerueth it, the partie refuſed ſhall notwithſtanding remaine without all obligation. That the world hath conceiued a wrong opinion, that to diſpence, is to beſtow a fauour, and that the diſpenſation is requiſite to be giuen, as any other part of diſtributiue iuſtice to bee exerciſed; that the Prelate doth offend if hee giue it not to whom it is due. And, in ſumme, he ſaid, that when a diſpenſation is deſired, either the caſe is ſuch, as, if it had been foreſeene, it would haue been excepted, and here there is an obligation to diſpence, or would haue been comprehended, though it had been thought on by the Law-maker, and to this the power of diſpenſing is not extended. Hee added that flatterie, ambition, and auarice haue perſwaded, that to diſpence is to beſtowe a fauour, as the maſter would doe to his ſeruants, or one that giueth of his owne. The Pope is not Lord, and the Church a ſeruant, but hee is ſeruant of him who is ſpouſe of the Church, and by him ſet ouer the Chriſtian familie, to giue, as the Goſpel ſaith, to euery one his owne meaſure, that is, that which is due vnto him. And, in concluſion, he ſaid, that a diſpenſation was nothing but a declaration or interpretation of the Law, and that the Pope could not, by diſpencing, vnbinde any that was bound; but declare onely to him that is not bound, that hee is exempted from the Law.

PIVS 4. FERDINAND — ELIZABETH. CHARLES 9. PHILIP 2.

The laſt day but one of February, the Cardinall of *Loraine* returned to *Trent*, hauing remained fiue dayes in *Iſpruc*, which hee ſpent in continuall negotiation with the Emperour, King of the Romans, and their Miniſters. At his returne he found the Popes letters to him; in which hee ſaid, that hee did deſire a reformation ſhould bee made, and not deferred any longer, and

The Card. of *Loraine* returneth.

that

that they might haue time to labour therein, the words of the Decrees of *Order*, which were in difficultie, should bee taken away. The Cardinall did publish these letters purposely in *Trent*, where it was generally knowen that the Legates had a contrary Commission. But the Papalins vsed all diligence to finde what businesse the Cardinall had, by meanes of those who were in his company, and, in particular, what resolution was taken concerning the seuentene Articles; and the rather, because Count *Fredericke Meffei*, who came from *Isprue* but the day before, related that the Cardinall was euery day in priuate conference, more then two houres, with the Emperour and King of the Romans. The Frenchmen made shew to vnderstand nothing of the Articles, and said that none of the Dutch Diuines had treated with the Cardinall, but *Staphilus* onely, who presented him with a booke which hee had made in matter of residence, and *Canisius*, when hee went to see the Colledge of the Iesuites; that the Diuines had not spoken to the Emperour, but onely when, going to see the Librarie, they ouertooke him and the King his sonne; who demanding what they thought concerning the grant of the Cup, the Abbat of *Clareual*, who was first of them, answered, that he thought it could not be granted: then the Emperour, turning to the King of the Romanes, spake this verse of the *Psalme* in *Latin*, *Fourtie yeeres haue I endured this generation, and haue alwayes found them to erre in their will.* 1563. Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

But *Loraine*, in visiting the Legates, said nothing, but that the Emperour was very well and zealously affected towards the Councel, desiring it might produce some fruit, and that, if occasion were, he would assist in person, and goe to *Rome* also, to pray the Pope to haue compassion of Christendome, and to suffer a reformation to be made, which might not diminish his authority, to which he bare exceeding great reuerence, nor would haue any thing spoken of touching his Holinesse and the Court of *Rome*. But to others in priuate he said, that if the Councel had beene gouerned with that wisdome as was conuenient, it would haue had a sudden and prosperous end; that the Emperour was resolued, that a good and a strong reformation should bee made, which if the Pope would continue to crosse, as hitherto he had done, some great scandall would ensue; that his Maiestie purposed to goe to *Bolonia*, in case the Pope came thither, with desseigne to receiue the crowne of the Empire; and such other things.

The points on which the Cardinall of *Loraine* treated with the Emperour.

It is not to bee doubted, that the Cardinall spake of the affaires of the Councel, and informed the Emperour of the disorders, and deliuered his opinion what remedies might be vsed, to oppose the Court of *Rome*, and the Italian Prelates of *Trent*, to obtaine in Councel the communion of the Cup, the mariage of Priests, the vse of the vulgar tongue in holy matters, the relaxation of other precepts of positiue law, a reformation in the Head and the members, and a meanes to make the Decrees of the Councel indispensable, and how, in case they were not able to obtaine, they might haue a colourable occasion to iustifie their actions, if, of themselues, they should make prouision for the necessities of their people, by making a Nationall Councel, assaying also to vnite the Germans with the French-men, in matters of religion. But this was not his negotiation onely. For he treated a mariage also, betweene the Queene of *Scotland* and the Arch-Duke *Ferdi-*

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

nand, the Emperours ſonne, and another betweene a daughter of his Maieſtie and the Duke of *Ferrara*, and to finde a meanes to compoſe the differences of precedence betweene *France* and *Spaine*, which things, as domeſticall, doe touch Princes more neerely then the publique.

After the returne of *Loraine*, the Congregations continuing, *Iames Alan*, a French Diuine, entred likewiſe into the matter of diſpenſations, and ſaid, that authority to diſpence was immediately giuen to the Church by Chriſt, and by it, diſtributed to the Prelates, as neede required, according to times, places, and occaſions. Hee extolled the authority of Generall Councels, which repreſent the Church, and diminiſhed the Popes, adding that it belongeth to the Generall Councel to enlarge or reſtraine it.

The Cardinal of *Mantua* dieth.

The ſecond of March, the Cardinall of *Mantua*, hauing beene ſicke a few daies, paſſed to another life; which was cauſe of many mutations in Councel. The Legates did preſently ſend aduice heereof to the Pope; and *Seripando*, who remained prime Legate, beſide the common letter, wrote in particular, that he would be glad his Holineſſe would ſend another Legate, his ſuperiour, to gouerne the Councel, or remooue him: but in caſe hee would leaue him prime Legate, he told him he would proceed as God ſhould inſpire him; and that otherwiſe it were better to remooue him abſolutely. The Cardinall of *Varmia* wrote a part alſo, that his Church had great neede of the preſence of a Paſtor, and that the communion of the Cup was brought in, and other notable abuſes, deſiring leaue to goe thither, to make prouiſion heerein; and that generally in all *Polonia*, there was neede of a perſon, who might keepe the reſidue of the people in obedience, ſaying, he ſhould doe the Apoſtolique Sea more ſeruice in thoſe quarters, then he could by remaining in the Councel. But *Simoneta*, deſirous that the weight of the whole buſineſſe ſhould lie vpon his ſhoulders, hoping to guide it with ſatisfaction of the Pope, and his owne honour, conſidering that *Seripando* was ſatiated with it, and not inclined to gouerne it, and that *Varmienſe* was a ſimple man, fit to be lead, he wrot to the Pope, that, the affaires of the Councel being not in a good ſtate, euery nouity would ſhake it much, and therefore did thinke fit to continue without ſending other Legates, and promiſed a good iſſue.

The three Legats remaining write to the Pope.

In thoſe daies aduice came from *Rome*, that a cauſe of the Biſhop of *Segouia*, which was to be propoſed in the *Rota*, was refuſed, and that one of the Auditors told his Proctor, that the Biſhop was ſuſpected of hereſie. This made a great ſtir, not onely amongſt the Spaniards, but all the *Oltramontanes* alſo, complaining that, in *Rome*, calumnies and infamies were raiſed againſt thoſe who did not abſolutely adhere to their wils.

The fourth of March the third rancke beganne to ſpeake: and, for the fifth Article all agreed that it was hereticall, and to be condemned; and ſo they did of the ſixt. Yet there was a difference, becauſe ſome ſaid, that howſoeuer the Orientall Church and the Occidentall did differ, in regard this did admit to *Prieſthood* and holy *Orders* continent perſons onely, and that did admit maried men; yet no Church did euer grant that Prieſts might marie, and that this is ſo by Apoſtolicall tradition, not by reaſon of vow, or of any Eccleſiaſticall conſtitution; and therefore that, abſolutely, they were to be condemned for heretiques, who ſay it is lawfull for Prieſts to marie, though

they

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

they reſtraine not themſelues to the Weſt, nor make mention of vow or law of the Church. And others ſaid, that no diſpenſation could bee granted for Prieſts to marie for any cauſe whatſoeuer. Some ſaide that matrimonie was forbidde to two ſorts of perſons, for two cauſes. To ſecular clerkes, in regard of holy *Orders*, by Eccleſiaſticall law; to regulars, in regard of their ſolemne vow. That the prohibition of mariage by conſtitution of the Church, may bee taken away by the Pope, or, in caſe that remaine in force ſtill, the Pope may diſpence with it. They alleadged the examples of thoſe who haue beene diſpenſed with, and the vſe of antiquity, that, if a Prieſt did marie the mariage was good, but the man was ſeperated from the Miniſtery; which hath continually beene obſerued vntill the time of *Innocentius* the 2. who, firſt of all the Popes, ordained that there ſhould bee a nullity in the mariage. But with thoſe who are bound to continencie by ſolemne vow, this beeing *de iure diuino*, they ſaid the Pope could not diſpence. They alleadged *Innocentius* the third, who affirmed that the obſeruation of chaſtity, and the abdication of the propriety of goods, doth ſo cleaue to the bones of Munkes, that the Pope cannot diſpence therein. Then they added the opinion of Saint *Thomas*, and of other Doctors, who affirme, that the ſolemne vow is a conſecration of the man to God, and that, becauſe no man can make a thing conſecrated to returne to humane vſes, no man likewiſe can make a Munke to returne to the power of marrying, and that all Catholique Writers doe condemne *Luther*, and his ſectaries, of hereſie, for ſaying that Munkſhip is an humane inuention; and doe affirme that it is by Apoſtolical tradition: whereunto the opinion that the Pope may diſpence, is directly contrary.

Others did maintaine that the Pope might diſpence, euen with theſe alſo, and marueiled at thoſe, who, granting the diſpenſation of ſimple vowes, did deny that of ſolemne, as if it were not moſt cleere, by the determination of *Boniface* the eight, that euery ſolemnity is *de iure poſitiuo*, making vſe alſo of the examples of things conſecrated, to prooue their opinion. For as a thing conſecrated, remaining ſo, cannot be imployed in humane vſes, but yet the conſecration may be remooued, and the thing made profane; whereby it may lawfully returne to a promiſcuous vſe, ſo a man conſecrated to Munkſhip, remaining ſo, cannot marry, but, the Munkſhip and conſecration, ariſing from the ſolemnity of the vow, which is *de iure poſitiuo*, being remoued, he may, without any hinderance, liue as others doe. They brought places of Saint *Auſtin*, by which it doth manifeſtly appeare, that, in his time, ſome Munkes did marry. And howſoeuer it was thought they offended in it, yet the marriage was lawfull, and Saint *Auſtin* reprehendeth thoſe who did ſeparate them.

They ſaid moreouer it was neceſſary to diſpence with Prieſts, or to take away the precept of continencie. And the Duke of *Bauaria* hauing ſent to *Rome*, to demaund of his Holineſſe the Communion of the Cup, requeſted alſo that married men might haue leaue to preach, vnder which name all the Eccleſiaſticall miniſtery was vnderſtood, exerciſed by Pariſh-Prieſts, in the cure of ſoules. Many reaſons were alleadged to perſwade the graunt, which were reſolued into two; ſcandall giuen by incontinent Prieſts, and

want

1563 want of continent persons, fit to exercise the ministerie. And the famous saying of Pope *Pius* the second, was in the mouth of many, that Priests were by the Occidentall Church forbid to marry for good reason, but there was stronger reason to restore marriage to them againe. Those of the contrary opinion said, that it is not the part of a wise Phisitian, to cure one disease, by causing a greater; that if Priests are incontinent and ignorant, yet the Priesthood is not to be prostituted to married men. And heere many Popes were alleadged, who did not permit it, because they said it was impossible to attend to the flesh, and to the spirit, and that matrimony was a carnall estate; that the true remedie was, to make prouision of continent and learned persons, by education, by diligence, by rewards and punishments, and, in the meane time, not to ordaine any but men of an approued life; and, for doctrine, to cause Homilies, and Catechismes to be printed in the Dutch and French tongues, composed by learned and religious men, to bee read to the people out of the booke by the vnlearned Priests: by which meanes the Parish Priests, though vnsufficient, might satisfie the people.

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9 PHILIP 2.

The principal reason why Priests are forbid to marry.

The Legats were blamed for suffering this Article to be disputed, as being dangerous, because it is plaine that married Priests will turne their affections and loue to their wiues and children, and by consequence to their house and Country, so that the strict dependance which the Cleargie hath on the Apostolike *Sea* would cease, and to grant marriage to Priests would destroy the Ecclesiasticall *Hierarchie*, and make the Pope to bee Bishop of *Rome* onely. But the Legats excused themselues, that, to please the Bishop of *Fiue Churches*, who had made this request in the name of the Duke of *Bauaria*, and of the Emperor also, & to make the Imperialists not to be so earnest in the matter of reformation, which was of more importance, they were forced to yeald to this disputation.

The French-men, perceiuing it was the more common opinion that the marriage of Priests might bee dispensed with, consulted together whether it were fit to demaund a dispensation for the Cardinall of *Borbon*, as *Loraine* and the Ambassadours had commission. *Loraine* was of opinion, that it was not fit; saying, that, without doubt, the Councell would hardly be perswaded that the cause was reasonable, and vrgent, in regard it was not necessary he should haue posterity, the King being young, there being two Brothers, and other Princes of the blood, Catholikes: and for gouerning, during the minoritie of the King, he might do it, remaining in the Cleargie; that, in regard of the differences betweene the French and Italians, about reformation, and the authoritie of the Pope and Bishops, their opposites would diligently oppose this demaund; that it was better to go to the Pope, or expect a better occasion, and that it was sufficient for that time to prouide that no doctrine should be established in preiudice of it. Some thought that *Loraine* did not like, in his priuate opinion, that *Borbon* should marry, in regard it might cause an emulation, or diminution of his house; but others did not thinke it probable. First, because by this meanes all hope was taken from *Conde*, whom he mistrusted much more; yea that hee did much desire that *Borbon* should returne to the secular state, that himselfe might be the prime Prelat of *France*, and that, if a Patriarke were made, as he much desired, hee might

might vndoubtedly be the man, which could not bee, if *Borbon* did ſtill remaine in the Cleargie. 1563

Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The Pope hauing receiued aduiſe of the death of *Mantua*, and conſulted with his inward friends, thought it neceſſary to ſend other Legats, who being new, not intangled with promiſes and treaties, might follow his inſtructions with more eaſe. And therefore the ſeuenth of March, the ſecond Sunday in Lent, not intimating a Congregation, as hee was wont, but the Cardinals being aſſembled in the Chamber where they put on their robes to goe to the Chappell, according to the vſe, hee ſtayed, and, excluding the Courtiers, cauſed the doores to bee ſhut, and created Legats, the Cardinals, *Iohn Morone*, and *Bernardus Nauaggerus*, that, by the perſwaſions of Princes or Cardinals, he might not bee forced to name others that pleaſed him not. The Pope thought to doe it ſecretly; but it came to the eares of the Frenchmen, and the Cardinall of *Bordiſiera* ſpake to the Pope before hee went out of the Chamber, and told him many reaſons, that, in caſe he would create new Legats, he could not commit the charge to a more worthy perſon then the Cardinall of *Loraine*. But the Pope being reſolute, and diſpleaſed that the matter was not ſo ſecretly carried, anſwered freely, that the Cardinall of *Loraine* came to the Councell as Head of one of the pretendent parties, and that he would depute thoſe who were Neutrals, and without intereſts. The Cardinall being about to reply, the Pope made haſte away, and went downe out of the Chamber ſo faſt, that there was not time to make anſwere. The Congregation being ended, the Pope let the Cardinals go to the Chappel, and himſelfe returned to the Chamber, becauſe hee would not be in ceremonie, when he was ſo much vexed with the words of that Cardinall.

Two new Legats are created.

The ninth of March newes came to *Trent*, that the Duke of *Guiſe*, brother to the Cardinall of *Loraine*, as he returned from the trenches vnder *Orlience*, was ſhot, by *Iohn Poltrot*, a priuat Gentleman of the reformed religion, and ſixe dayes after died, to the great diſcontent of all the Court, and that, after he was wounded, he exhorted the Queene to make peace, and ſaid openly, that he was an enemie to the kingdome who was againſt it. The homicide being interrogated of his complices, named *Coligni*, the Admirall, and *Theodore Beza*, and afterwards excuſed *Beza*, but perſeuered in accuſing the other. Yet hee wauered ſo, that one could not tell what to beleeue. The Cardinall, aduertiſed hereof, prouided a greater guard then formerly hee had: and, being exceedingly grieued for the death of his brother, who was ſo deare vnto him, firſt of all he wrote a conſolatorie Letter to *Antoniette de Borbon*, their common mother, full of exquiſite conceits, to be compared, or rather, as his friends ſaid, to be preferred to thoſe of *Seneca*; in the end whereof hee ſaid, hee was reſolued to goe to his Church of *Reims*, and to ſpend the reſidue of his life in preaching the word of God, inſtructing the people, bringing vp his brothers children in Chriſtian pietie, and neuer to ceaſe performing of theſe offices, but when the Kingdome, for ſome publike affaires, had neede of his paines. The Letter was no ſooner parted from *Trent*, but the Citie was full of copies of it, rather importunely offered by his friends, then requeſted; ſo hard it is for the affection of ſelfe-loue to be quiet, though in the occaſion of greateſt ſorrow. After this, the Cardinall,

The Duke of *Guiſe* is ſlaine vnder *Orlience*.

The Card. of *Loraine* writeth to his mother.

thinking

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

thinking of the change of things by this variation, altered all his desseignes. And this caused a change also in the affaires of the Councell. For hee being the man which the Emperour and Queene of *France* had, vntill then, wholly employed, they were forced, for want of so fit a minister, to be more remisse in their purposes, and to proceede more slowly. But it happeneth in humane affaires, as it doeth in fortunes at Sea, where, the windes being ceased, the waues doe tumultuate, for some houres after. So the great weight of the affaires of the Councell could not easily be appeased, in regard of their former impetuous motion. But it is certaine, that the death of that Duke was a great beginning of the quiet which succeeded some moneths after, especially after the death of the other brother, great *Prior* of *France*, and the peace made with the *Hugonots*, and the instances of the Queene to the Cardinall to make his peace with the Pope, and returne into *France*: of which things we will speake in due place. Hereby the Cardinall saw, that the affaires as they stood, would not bee profitable, neither for himselfe, nor his friends.

The death of the Duke caused a great alteration in the Councel.

The death of *Guise* was lamented both in *Trent* and *Rome*, because euery one thought hee was the onely maintainer of the Catholique partie in the kingdome of *France*; neither did it appeare what other person could succeede, in supporting that weight; the rather, because euery one was daunted by the example of his death. The French Prelats in the Councell were troubled in minde, because they vnderstood that an accord was treated with the *Hugonots*, who pretended, amongst other things, that the third part of the Ecclesiasticall reuenues should be employed for maintenance of the reformed Ministers.

In this varietie of businesses, and perplexitie of mindes, *Fiue-Churches* returned to *Trent*, and, with the other Ambassadours of the Emperour, had audience with the Legats, and presented to them the Emperours letter which hee brought, and a copy of another, written by his Maiestie to the Pope. They all made request for the reformation, but in generall termes onely, and very remissely. The Emperours letter to the Legats, did signifie his desire to see some fruitfull proceeding of the Councell, for which it was necessarie to remooue some impediments; whereof hauing written to the Pope, he prayed them to labour in Councell, and to vse perswasions to his Holinesse, that the future progresse might be for the seruice of GOD, and benefite of Christendome. In his letter to the Pope hee said, that, hauing dispatched great businesses with the *Electors*, and other Princes and States of *Germanie*, nothing was more precious vnto him, being *Aduocate* of the Church, then to promote the affaires of the Councell; that hee was come to *Isprue* for that cause, where, to his griefe, he vnderstood that matters did not proceed as he hoped, and as the publique tranquillitie did require; that hee feared, if better order were not taken, the Councell would ende with scandall of the world, and laughter of those who haue forsaken the obedience of the Church of *Rome*, who would be incited to retaine their opinions with greater obstinacie; that there had beene no Session holde of a long time; that while Princes did labour to vnite the aduersaries differing in opinions, the Fathers came to contentions, vnworthy of them; that there was a fame that his Holinesse meant

The Emperors letters to the Legates and the Pope,

to

to dissolue, or suspend the Councell, perhaps mooued thereunto by the present state thereof; but that his opinion was to the contrary. For it had beene better it had neuer beene begun, then left vnperfect, with the scandall of the world, contempt of his Holinesse, and of the whole Clergie, preiudice of this and other future generall Councels, losse of that small remainder of Catholiques, and opinion of the world that the end of the dissolution or suspension was onely to hinder the reformation; that in the intimation of it, his Holinesse did desire his consent, and of other Kings and Princes, which he did, in imitation of his predecessors, who alwayes haue thought it necessary, for many respects; that the same reason doth conclude that it cannot be dissolued or suspended without the same consent. And he exhorted him not to hearken to those who would haue him dissolue it, a thing shamefull and vnprofitable, which vndoubtedly would be a cause of Nationall Councels so much abhorred by his Hol. as contrary to the vnity of the Church, which as they haue been hindred by Princes to preserue the Popes authoritie, for they cannot be denyed, or deferred any more. He perswaded him to maintaine the libertie of the Councell, which was impeached principally by three causes. One, because euery thing was first consulted of at *Rome*, another, because the Legats had assumed to themselues onely the liberty of proposing, which ought to be common to all; the third, because of the practises which some Prelats, interested in the greatnesse of the Court of *Rome*, did make. He said that a reformation of the Church being necessary, and the common opinion being, that the abuses haue their beginning and growth in *Rome*, it was fit, for common satisfaction, that the reformation should be made in Councell, and not in that City. And therefore desired his Holinesse to be content that the demands exhibited by his Ambassadours, and by other Princes, might be proposed. In the conclusion, he told him, he purposed to assist in Councell personally, and exhorted his Holinesse to doe the like.

1563

Pius 4 Ferdinand

Elizabeth Charles Philip

This letter was dispatched the third of March, and it gaue much offence to the Pope. For hee thought that the Emperour did embrace much more then his authoritie did reach vnto, and passed the termes of his predecessors, men more potent then himselfe. But hee was displeased more when he was aduised by his *Nuncio*, that hee had sent copies of the same Letter to other Princes, and to the Cardinall of *Loraine* also; which could be done to no other end, but to incite them against him, and to iustifie his owne actions. Besides, Doctor *Scheld*, great Chancellor to the Emperour, perswaded *Delphinus*, the Popes *Nuncio* in that Court, that hee would be a meanes that the words, *Vniuersalem Ecclesiam*, might be taken away, which did inferre the superioritie of the Pope aboue the Councell, saying that these times did not comport they should be vsed, and that the Emperour and himselfe also did know, that *Charles* the fift, of happy memory, did holde the contrary opinion in this article, and that they should take heede of giuing occasion to his Maiestie and other Princes to declare what they thinke herein. The Pope considered that *Loraine* also had written, that it was not a time to handle the difficultie of the words, *Vniuersalem Ecclesiam*, &c. and the aduice which came from *Trent*, that the Cardinall said, that neither himselfe, nor the French Prelats could endure them, that they might not canonize an opinion, contrary

With which his Holinesse is offended.

1563
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

trary to all *France*, which, when men came to speake plainly in the discussion of this point, would haue more fauorers then was beleeued, & that they were deceiued who thought the contrary; which shewed cleerely, that hee had treated hereof at the Emperours Court. These things considered, the Pope thought fit to make a good answere, and to send about also, to iustifie himselfe.

And answereth the letters thus.

Therefore hee wrote to the Emperour, that he had called the Councell with the participation of him, and of other Kings and Princes, not because the Apostolike *Sea* had need, in gouerning the Church, to expect the consent of any authority whatsoeuer, because he had plenitude of power from Christ; that all the ancient Councels haue beene assembled by authority of the Bishop of *Rome*, nor any Prince euer interposed, but as a meere executor of his will; that he neuer had any purpose either to dissolue or to suspend the Councell, but hath alwaies purposed to giue a compleat end, for the seruice of God; that, by consulting in *Rome* of the same matters which were disputed in *Trent*, the libertie of the Councel was not only not hindred, but promoted rather; that no Councell was euer celebrated in absence of the Pope, but that he hath sent instructions, which the Fathers haue also followed; that the instructions doe still remaine, which Pope *Celestinus* sent to the *Ephesine* Councell, Pope *Leo* to that of *Chalcedon*, Pope *Agatho* to that of *Trullus*, Pope *Adrian* the first to the second of *Nice*, Pope *Adrian* the second to the eight generall Councell of *Constantinople*; that, for proposing in the Councell, it hath alwaies belonged to the Pope whensoeuer he hath bin present, yea he alone hath resolued, and the Councell done nothing but approoue; that, in absence of the Pope, the Legats haue euer proposed, or others, deputed by them; in conformitie whereof, the Councell of *Trent* hath determined, that the Legates should propose; that this is necessarie for the keeping of order, in regard there would be a great confusion, if the Prelats, tumultuously, and one against another, might set on foote matters seditious, and inconuenient; that the Legates haue neuer refused to propose any thing that is profitable; that the practises, made by diuers against the authoritie of the Apostolike *Sea*, hath much displeased him; that all the bookes of the Fathers and Councels are full, that the Pope, successour of *Peter*, and *Vicar* of Christ, is *Pastor* of the Vniuersall Church; that many conuenticles and practises haue beene made in *Trent*, against this trueth, howsoeuer the Church hath alwayes vsed this forme of speech, as his Maiestie might see, in the places which he sent him cited in a paper inclosed; that all the present euils haue risen, because his Legates, vsing conniuencie, that bad tongues might not take occasion to speake against the libertie of the Councell, had suffered their authoritie to bee contemned, so that the Councell might bee said rather to haue licence then libertie; that, for reformation, hee desireth it should be rigid and absolute, and hath continually sollicited his Legates to resolue vpon it; that, concerning the Court, the world knew how many prouisions hee had made, euen with the diminution of his rents, and that, if any thing remained, hee would not omit it; that this could not bee done in *Trent*, in regard the Prelates, being not informed well, in stead of reforming, would deforme it more; that, in the meane while, hee desired to see some re-

A paper full of quotations.

formation

formation in other Courts alſo, which had no leſſe neede of it, in the affaires of the Church onely, and that perhaps from the abuſes therein the euill doth principally ariſe; that, concerning the petitions propoſed by his Maieſties Ambaſſadours, and others, he hath alwayes written they ſhould be examined and diſcuſſed, each of them in its fit time, and that an order being inſtituted, and continued, to handle in Councell matters of faith, and reformation of the abuſes concerning them, both together, it could not bee altered, without confuſion and indignitie; that his Maieſtie hauing touched diuers diſorders of the Councell, had omitted the Principall, and fountaine of the others, which is, that thoſe who ought to receiue law from Councels, would giue it vnto them; that if the pietie of *Conſtantine*, and the two *Theodoſij* were imitated, and their examples followed, the Councell would haue had no diuiſion betweene the Fathers, and beene in great reputation with the world; that hee deſired to aſſiſt perſonally in Councell, to remedie the diſorders thereof, but, in regard of his age, and of his important affaires, it was impoſſible for him to goe to *Trent*, and would not ſpeake of tranſlating it to a place whither he might goe, for feare of giuing ſuſpition. 1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The Pope thought, that the intereſts of the Emperour and of *France* could not bee vnited with his, and therefore could promiſe himſelfe but little, and hope leſſe of them. For they did not thinke of the Synode but for the intereſts of their ſtates, and therefore did deſire nothing from it but what might giue ſatisfaction and contentment to their people, and in caſe they cannot obtaine it, to hinder the ending of the Councell, and ſo to keepe their ſubiects ſtill in hope. But theſe intereſts could not mooue the King of *Spaine*, whoſe people are Catholikes, and therefore hee might conforme himſelfe to his will, without preiudice to his ſtates, yea that it was good for him to ſtand vnited with him, that hee might obtaine graces; and therefore he thought it neceſſarie to ſollicite him, with continuall perſwaſions, and to giue him hope of all ſatisfaction. And *Lewis d' Auola* did opportunely arriue in *Rome*, ſent expreſly by his Catholike Maieſtie. The Pope honoured him aboue meaſure, lodged him in the pallace, in the roomes formerly inhabited by Count *Frederic Boromeo*, his nephew, and vſed him with all effectuall courteſie. The cauſes of his comming were, to obtaine of the Pope a prorogation for fiue yeeres more of the Subſidie of the Cleargie, graunted vnto him, and power to ſell fiue and twentie thouſand crownes of the Fees of the Churches. He had commiſſion alſo to procure a diſpenſation of marriage betweene the Princeſſe, Siſter of the King and his ſonne *Charles*, which, in *Spaine*, was thought eaſie, becauſe many, euen priuate men, were diſpenſed with to marrie the daughter of their brother or ſiſter, which is as much as to take the ſiſter of the father. Beſides, *Moyſes* and *Aaron* were borne of ſuch a matrimonie. For the mariage, the Pope ſaid he would doe as much as his authoritie would ſtretch vnto, and would cauſe the matter to bee conſulted on. But the treatie did not proceede, in regard of the infirmitie of the Princeſſe which ſucceeded, and made her vnfit for marriage. Concerning the Subſidie, and alienation, the Pope ſhewed a willing minde, but made difficultie to doe it while the Prelates were at charges in the Councell, promiſing to gratifie the King if hee would aſſiſt him to finiſh it, and to free him from it. A Spaniſh Ambaſſador commeth to *Rome*.

1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

For matters of the Councell, *Don Lewis* did not proceed farre in the first audiences; onely he offered to procure the preseruation of the Popes authoritie, and exhorted his Holinesse not to treat a league betweene the Catholikes, least the heretikes should doe the like, and *France* runne headlong to any accord with the *Hugonots*.

In the meane while diuers assemblies were held in *Trent*: the Emperours Ambassadours called together the Spanish Prelates, in the house of the Archbishop of *Granata*, to perswade them to consent that the vse of the Cup might be granted in Councell, purposing to propose it againe: but they found them so auerse, that they were forced to bury it in silence. The Cardinall of *Loraine* held many congregations with his Prelats and Diuines to examine the places, sent by the Pope to the Emperour, in the paper before mentioned, and by the Emperour to him, concerning the words, *Vniuersalem Ecclesiam*, to see whether they were iustly cited, and whether the true sence was giuen them, that they might, as they did, make another writing, in confutation of it. The Emperour gaue order that these places might bee imparted to the Spanish Prelates, that hee might know their opinion; which *Fiue Churches* hauing done, when they were all assembled to this ende, *Granata* answered that his Maiestie needed not to haue taken such paines with them, who doe receiue the Councell of *Florence*, but should aske the French-men, who receiue that of *Basil*. Vpon this occasion some of them, when *Fiue Churches* was gone from them, did perswade, that a letter should bee written to the Pope, to take from him the bad opinion hee had conceiued of them. But *Granata* refused, and saide, it was sufficient that hee knew by their voyces that they were not opposite heerein; yet so, as it was not fit they should imitate the flatterie of the *Italians*. And hee vsed these very words. *Let him restore vnto vs our owne, that wee may leaue vnto him more then is his; and it is not iust, that of Bishops wee should bee made his Vicars.* Another day the Ambassadours of the Emperour and French King met together, to set downe an order that the Decree of residence, composed by the Cardinall of *Loraine*, might bee proposed: which neither they, nor *Loraine* could obtaine of the Cardinall of *Varmia*, and *Simoneta*, *Seripando* being sicke, and absent.

In the congregation of the fourteenth of March, one of the Diuines, finding opportunitie to digresse from the continencie of Priestes to residence, spent his whole large discourse therein. Hee brought authoritie and examples to perswade that it was *de iure diuino*, and to answere that obiection, that many Canons and Decrees doe command it, which needed not, if it were commanded by God. Hee vsed this conceit, that *Ius diuinum* is the foundation, or pillar of residence, and *ius Canonicum* the Edifice or roofe; and that as the building is ouerthrowne when the foundation is remooued, and as the roofe falleth when the pillar is taken away, so it is impossible to preserue residence with *Ius Canonicum* onely, and those who ascribe it onely vnto that haue no other ayme then to destroy it. Hee brought the examples of ancient times, noting that residence was exquisitely obserued by all, before any Canons or humane Decrees were made, because euery one held that hee was bound by God. But since that some haue perswaded themselues, that

there was no obligation but that which is deriued from humane Lawes, howsoeuer these haue often been renewed, and fortified with penalties, yet all hath still growen worse and worse. 1563

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The same day Cardinall *Seripando* died, to the great griefe of all the Prelates, and of all *Trent*, hauing in the morning receiued the Sacrament of the *Eucharist*, which hee tooke out of his bed vpon his knees. After that hee returned into his bed, and in the presence of fiue Prelates, and of the Secretaries of *Venice* and *Florence*, and of all his familie, hee made a long Oration in *Latin*, vntill his spirits did faile him; hee confessed his faith, wholly conformable to the Catholique of the Romane Church, spake of the workes of a Christian, of the Resurrection of the dead, of the affaires of the Councell, recommending the progresse of it to the Legates, and the Cardinall of *Loraine*; but striuing to set downe the meanes, his spirit did faile him, and hee said, that GOD had forbidde him to proceede further, but that his Diuine Maiestie would speake himselfe in time and place: and so passed, without saying any more. The death of *Seripando*.

The Count of *Luna* wrote from the Emperours Court, to *Martin Gusdelun*, the Secretarie, and sent a copie of a letter, written to him from the King, in which his Maiestie did aduise, that the Pope had complained to him of the Spanish Prelates; and howsoeuer hee beleeued that his Holinesse was not well informed, thinking that the Prelates would shew deuotion towards the Apostolique Sea, yet he gaue order to the Count that, at his comming to Trent, hee should cause them to fauour the Pope, as far as their conscience could permit, and so to carry themselues, that his Holinesse might not haue cause to complaine of him. And to this purpose the Count wrot also to *Granata, Segouia, and Leon.*

The eighteenth of March, in which no Congregation was held, by reason of the obsequies of *Seripando*, the French Ambassadours appeared solemnely before the two Legates, and complained, that, these eleuen moneths, since the first day of their arriuall in *Trent*, vntill then, they had made knowen the desolations of *France*, and the dangers of Christendome, for the differences of Religion, and declared that the most necessary and principall remedie was a good intire reformation of manners, and some moderation of positiue lawes, and had alwayes receiued good hope, and gracious words, but could neuer see any effect of them; that the reformation is auoided, as much as is possible; that the greater part of the Fathers and Theologues are now more hard and seuere then euer, in not yeelding to the necessitie of the time; they prayed them to consider how many good men died, before they were able to doe any good worke for the publique seruice; whereof the Cardinals of *Mantua* and *Seripando* were examples; desiring them to doe some thing for the discharge of their conscience, while they had time. The Legates answered, that they were displeased with this long deferring of matters, of which the death of *Mantua* and *Seripando* were cause; that themselues alone are not able to beare so great a weight, praying them to expect *Morone* and *Nauaggero*; who would presently arriue. They were pacified with the answere, and the rather, because the Imperialists made instance that they would prooceed slow-

1563 ly, expecting the negotiation of the Emperours Ambassadours in *Rome*, who, together with *Lewis d' Auila*, made request to the Pope, that a generall reformation of the whole Church in the Head, and in the members, might be made not in *Rome*, but in the Councell, and also that the Decree, that the Legates onely might propose in Councell, should be reuoked, as contrarie to the libertie of the Ambassadours and prelates, in propounding what they thought profitable, these for their Churches, and those for their states. This instance the Emperour thought fit should be first made to the Pope, and afterwards to the Councell.

PIVS 4. FERDINAND ELIZABETH. CHARLES 9. PHILIP 2.

The negotiation of the Ambassadors of the Emperour, & King of *Spain* in *Rome*.

Notwithstanding, these Princes were not absolutely of one minde. For howsoeuer *Don Lewis* made the same demands apart, yet afterwards, hee desired the Pope to perswade the Emperour not to seeke the communion of the Cup, and marriage of Priests, saying that the King had giuen commission to his Ambassadour to goe to *Trent*, and perswade that it should not bee spoken of, or, if it were, that the Spanish Prelates should oppose it. Hee exhorted the Pope to endeuour to win the heretiques by gentlenesse, not sending *Nuncij*, but vsing the meanes of the Emperour, and of other Princes of authoritie, to accept the demands of the Frenchmen, and to leaue the Councell free, that all may propose, and no practises bee vsed in making the resolutions. The Popes answere to the Ambassadours was, that the decree, *Proponentibus legatis*, should bee so expounded, that euery one might propose what he would, and that to the Legats, which parted lately, hee had giuen libertie to resolue all things, which might occurre in Councell, without writing at all; that the reformation was desired by him, and that hee had often made instance for it, and that, if the world would haue had it from *Rome*, it should haue been done by this time, and put in execution also; but seeing they would haue it from *Trent*, if it were not effected, the cause ought to bee ascribed onely to the difficulties which were amongst the Fathers; that hee desired to see an end of the Councell, and did procure and sollicite it, nor had euer any thought to suspend it; that, in conformity hereof, hee would write to the Legates, and did write, that the Decree, *proponentibus Legatis*, was made to take away confusion; but that his will was, that none of the Prelates should bee hindered to propose what hee thought fitte, and that they should dispatch the matters, according to the voyces of the Fathers, without expecting any order from *Rome*. But this letter was to giue satisfaction, and not to worke any effect. For *Morone*, the prime Legate, had instructions apart, to giue a rule to the orders also which should come from *Rome*.

The Popes answere.

Secret instructions giuen to Cardinall *Morone*.

The Pope answered *Don Lewis* in particular, that hee had opened the Councel, vpon promise of his Maiesty that hee would protect it, and preserue the authority of the Apostolique Sea; but that he found he was deceiued, in regard he had receiued more incounters from his Prelates, then from all the rest, who, together with all the Clergie of *Spaine*, had made themselues his enemies for the grant of the subsidy; that hee doubted not of the good will of his Maiesty, but all the euill did arise because hee had not sent trustie Ambassadours, neither to *Rome*, nor to the Councel; that it was fit he should leaue the Councel in liberty, and hee did desire it more then any, yet

he

he was not pleased it should haue licenſe, nor be in ſeruitude to thoſe Princes, who preach libertie and are desirous to command; that euery one made requeſt to him for the liberty of the Councel, but hee did not know whether they had all well conſidered of what importance it would bee; if the Prelates had the raines laid on the necke; that howſoeuer there were amongſt them, ſome men excellent for integrity and wiſdome, yet there were of thoſe alſo, who wanted either one of them or both; all which would bee dangerous if they were not kept in order, that perhaps it did leaſt of all concerne him to thinke of it, becauſe, his authority being grounded vpon the promiſes of God, hee did truſt in thoſe; that Princes had more need to beware, in regard of the preiudices which may enſue, and that, if the Prelates had ſuch ſuperfluous liberty, perhaps his Catholique Maieſty would haue cauſe to bee ſory for it; that, for reformation, the impediments did not proceed from him; that he would continue to deferre the demands of Princes concerning the communion of the Cup, and mariage of Prieſts, deſiring his Maieſtie to conſider, that as hee diſſented from others in theſe particulars, ſo in euery thing elſe there are ſome who make requeſts for it, and others who oppoſe. Hee concluded, that it was in the power of his Maieſty to ſee a fruitfull, and a ſudden end of the Councel, from which ſo ſoone as he was free, he might promiſe himſelfe all fauour from him.

1563
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

The twentieth of March, the Diuines made an end of the Articles of Matrimony; and the Legates conſulted priuately, whether it were good to propoſe the doctrine, and canons thereof, in the Congregations of the Fathers. But, conſidering that the French-men and Spaniards would oppoſe, and that greater controuerſies might be raiſed then euer were, and that if they ſhould propoſe the abuſes onely, they ſhould giue the Emperours and French Ambaſſadours fit occaſion to enter againe into the matter of reformation, they were much perplexed what to doe. *Varmienſe* thought good to make triall, to accommodate ſome of the difficulties: but *Simoneta* feared that ſome great preiudice might enſue, in regard of the inſtability of his colleague; and attributing the blame of all the diſorders, which haue hapned in Councel, to the two Legates dead, who proceeding in the matter of reſidence rather according to their owne opinion, then the neceſſities of the Church, haue, by too much integrity, cauſed all the miſchiefe, and ſaid it was not fit to put themſelues in danger of raiſing greater; and therfore did not conſent that any of them ſhould bee ſpoken of. Finally, they concluded to intermit all diſcuſſions, vntill the comming of the new Legates. In the meane time, *Loraine* reſolued to goe to *Venice*, to recreate his mind, poſſeſſed with griefe, for the death of his brother, the great *Prior*, which alſo had renued his former ſorrow, for the death of the Duke, his other brother.

The Cardinal of *Loraine* reſolueth to goe to *Venice*,

The difficulties which were ſpoken of, were ſixe. One, concerning the Decree, made long before, that the Legats onely ſhould propoſe. 2. Whether reſidence were *de iure diuino*. 3. Whether Biſhops are inſtituted by Christ. 4. Concerning the authority of the Pope. 5. To encreaſe the number of the Secretaries, and to hold an exact account of the Suffrages. 6. (Which was of moſt importance) concerning the generall reformation; which I was willing to repeat heere, as a recapitulation of that wherein the

The 6. difficulties which trouble the Councel.

1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

Councel hath beene troubled vntill this time, and a prohemie of the troubles which shall be related hereafter.

The newes was now stale in *Trent*, of the instance made in *Rome* to the Pope. For the Emperours Ambassadours and the French, had published it should bee done, and that afterwards they would make the same requests to the Councel. The Cardinall of *Loraine*, who was wont to speake variously, said, that if those Princes did receiue satisfaction, by proposing their petitions of reformation, and the reformation made, without diminution of the Popes authority, those instances would immediately cease. And hee added afterwards, that the Pope might haue a good proceeding in the reformation, and a quicke dispatch of the Councel, if he would declare himselfe plainely what points hee would not haue to bee discussed, that they might labour in discussing the others; by which meanes the contentions would be taken away, which haue caused all the delaies. For some, who desire to shew their affection to his Holinesse, supposing that a part of those petitions may be preiudiciall to the Apostolique Sea, doe oppose them all: and others, denying that any of them doe preiudice, doe cause the businesse to bee drawne in length. But if his Holinesse would declare himselfe, the difficulties would cease. The Emperours Ambassadours gaue a copie to many in *Trent*, of his Maiesties letter to the Pope; which made the Legates resolue to spread also the copy of the letter which themselues had written in answere to the Emperour, when he sent them that which he had written to the Pope; which letter beeing composed according to the instructions sent from *Rome*, did containe the same conceipts, as the letters of his Holinesse did.

The Pope, comparing the propopositions of all the Ambassadours with the speech of *Loraine*, whereof aduice was sent him, was so much the more resolute, not to consent to the propositions of reformation, made by the French-men. And indeed, not onely a person of a great spirit, and experienced in the world, as the Pope was, but euery meane capacity might discouer the cunning vsed, to draw him into the net, in case he had not beene warie. He considered, that to say he should declare which of the petitions did not please him, did signifie nothing but that, by suffering the others to be discussed, hee should leaue a way wide open to bring in the others afterwards, which were to his preiudice. And who could doubt that to obtaine the first would not be an end, but a degree to passe to that at which they aimed, and that to release the Ecclesiasticall precepts, belonging to the *rites*, as the communion of the Cup, marriage of Priests, vse of the Latin tongue, which seeme, at the first view, not to derogate from the Popes authoritie, would notwithstanding cause immediatly a totall destruction of the foundations of the Church of *Rome*. Some things make a faire shew, and seeme that that they may be admitted without losse; but a wise man must consider the conclusion of things, rather then their beginnings. Being therefore resolued to stop these first passages, and considering what other remedies there might be, he returned to his first cogitations, that the King of *Spaine* had neither interest, nor any affection to prosecute the instances made; that the Emperor and French men did much labour in them, hoping by this meanes to satisfie their people, and to appease the discords, not knowing that the

heretike

1563
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

heretickes doe inculcate the reformation that they may haue a pretence for their separation from the Church, and would not be reduced though it should be made. He thought therefore, that if the Princes were made to vnderstand this, they would abandon their instance, and suffer the Councell to end quietly. Wherefore he wholy bent his endeuours to ouercome the difficulties, by this meanes. And considering well all respects, he thought it more easie to perswade the Emperor, who could determine of himselfe, and was of a more gentle and sweete disposition, farre from any cunning, and not intangled with warre; whereas in *France*, the King being a child, many that were partakers in the gouernment, vsing many artifices, and hauing diuers interests, it would be very hard to doe any good. Whereupon he resolued that Cardinall *Morone* before he entred into the affaires of the Councell, should goe to the Emperour for this end. And remembring what *Loraine* said in *Trent*, that the Emperour would goe to *Bolonia* to receiue the Crowne, he resolued to try whether he could induce that Cardinall to bee a mediatour herein, and so to translate the Councell to that Citie. He gaue order to the Bishop of *Vintimiglia* to insinuate with him, and to perswade him to it: and, to giue him a meanes of entrance, he caused *Boromeo* to giue him commission, to condole with him, for the death of his Brother the great Prior.

The Pope resolueth to send Cardinal *Morone* to the Emperor.

And hath a plot vpon the Cardinall of *Loraine*.

But before this order came, the Cardinall was gone for *Padua*. The Bishop therefore conferring with *Simoneta*, concluded that the importance of the matter did not admit any losse of time, nor could bee negotiated but in presence. Wherefore he resolued to follow him, pretending to see a Nephew of his, who was very sicke in *Padua*. Being come thither, hee visited the Cardinal, presented the letters of *Boromeo*, and condoled with him, making no shew of any other businesse. Talking together, the Cardinall demaunded what newes there was in *Trent* since his departure, and whether Cardinall *Morone* would goe to the Emperour, as was reported. After many discourses on both sides, the Bishop began to put him in mind that his *Excellencie* had formerly told him in *Trent*, that, in case the Pope would goe to *Bolonia*, the Emperour would goe thither also, and would make it an occasion to receiue the Crowne; which would turne to the great aduantage of his Holinesse to maintaine the possession of coronation, which *Germanie* did oppugne. The Cardinall affirming this againe, the B. added, that he had then sent aduise thereof to *Rome*, and now had receiued an answer, by which he did conclude that a very faire occasion was presented to his *Excellencie* of doing much good to the Church of God, by labouring to bring so profitable a disseigne to effect. For, in case he could perswade his Maiestie to go to *Bolonia*, calling also the Councell thither, he might assure himselfe that his Holinesse would resolue to be there likewise, and that, by the assistance of them both, the affaires of the Synod would haue a quicke dispatch, and a happy successe. The Cardinall desired to see what was written to him; and the Bishop, making demonstration to proceede freely with him, shewed him the letters of Cardinall *Boromeo*, and a writing of *Ptolomeus Gallus*, the Popes Secretarie.

The Cardinall hauing read all, answered, that, at his returne to *Trent*, hee

should

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9
PHILIP 2.

should better vnderstand the Emperors mind, and what answere the Pope had sent to his Maiestie, whereby hee might resolue better, and would not faile to bestow his paines, if there were occasion. The Bishop replying, that he might plainely vnderstand the Popes mind by the letters which hee shewed him, and that there was no cause to expect better information, the Cardinall entred into other discourses, neither could the Bishop, though he often returned to the same matter, draw any other answere from him. He said indeed, that the Emperour had spoken of his going to *Bolonia*, because the Pope had told him of his purpose to make the reformation; but, seeing that it is now plaine, by long experience, that howsoeuer his Holinesse promiseth many things, yet nothing is executed in Councell, his Maiestie and other Princes do beleeue, that he hath no true meaning of performance, and that, otherwise, the Legats would not haue failed to haue executed his will. Hee said the Emperour was not satisfied, for that the Pope hauing, in Ianuary, shewed a purpose to go to *Bolonia*, was cooled on the sudden, and that when his Maiestie told him of his desire to assist personally in Councell, his Holinesse laboured much to diswade him, vsing his wonted varitie of speeches. Hee said also that the Emperor would not resolue to goe to *Bolonia*, least hee should displease the Princes, who might doubt, that, when he was there, his Holinesse would gouerne all after his owne manner, & conclude the Synod as he listed, without making any reformation. He said he had receiued aduise of the instance, made by *Don Lewis d' Auila* in the name of the Catholique King, and was glad to heare it. And speaking at large of the particulars, hee added, that it was necessary it should bee performed, euen from *Alpha* to *Omega*, and that it was fit to remooue from the Councell fiftie Bishops at the least, who doe alwaies oppose all good resolutions. Hee said, that formerly he thought there were more abuses in *France*, then else where, but now he knew that there were enough in *Italy* also. For the Churches are in the hands of Cardinals, who, ayming at profit onely, doe wholly abandon them, and leaue the cure to a poore Priest; by which meanes the Churches are ruined, and Simonies, and an infinitie of other disorders committed. For remedie whereof, the Princes and their ministers did proceed moderately, hoping that, at the last, the desired reformation would be made. That himselfe also had proceeded with respect; but now, seeing that it was time to labour in earnest for the seruice of GOD, hee would burthen his conscience no more, but, in the first voice hee should giue, was resolued to speake heereof. That his familie had suffered, as euery one knoweth, the losse of two brothers; that himselfe would spend his blood in the same cause, though not in Armes, as they did; that his Holinesse ought not to hearken to those who would diuert him from so pious an intention, but to resolue to obtaine a reward at the hands of GOD, by the merit of remooving the abuses of the Church. Hee said also, that, when the new Legates came, who no doubt would bee well informed of the Popes minde, it would bee knowne what his purpose was concerning the reformation, in regard they could haue no excuse to delay it, if they meant to make it at all. And howsoeuer the Bishop did often assay to bring him backe to speake of the iourney to *Bolonia*, yet hee alwayes turned the discourse another way. *Vintimiglia* sent aduice

uice of all to *Rome*, and gaue his cenſure, that, howſoeuer the Cardinall had heeretofore made mention of this iourney, his mind was contrarie, and ſpake it only in cunning, to diſcouer the intention of his Holineſſe and of the Court, and that hee was glad he had found his purpoſe. For if he had promiſed to labour heerein, he might haue prolonged the buſineſſe, and cauſed diuers preiudiciall inconueniences to ariſe. 1563.

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

Newes out of *Frante*.

A diuiſe came to *Rome* that the French King had made peace with the *Hugonots*, the particular conditions being not knowen as yet. And the Pope thinking it proceeded from ſome Prelats, who, though they did not openly declare themſelues to be Proteſtants, yet did follow that partie, he reſolued to diſcouer them, and was wont to ſay, that hee was wronged more by the masked heretiques, then by the bare-faced. Whereupon, the laſt of March, hauing cauſed firſt the Emperours letter written to him to be read, as alſo his owne anſwere, he paſſed from that buſineſſe, and related the confuſions of *France*, adding, that the Cardinall *Chaſtillon*, hauing changed his name of Biſhop of *Beauuois*, into Count of *Beauuois*, had alſo pronounced himſelfe depriued of the Cardinals Hat, attributing all the diſorders to him, to the Archbiſhop of *Aix*, the Biſhop of *Valence*, and ſome others. Which things, howſoeuer they were notorious, and needed no further proofe to come to the declaration thereof, yet he gaue order that the Cardinals, who gouerned the Inquiſition, ſhould proceed againſt them. The Cardinall of *Piſa* anſwering, that there was needé of proper and ſpeciall authoritie, the Pope ordained, that a new Bull ſhould bee made, which was dated the ſeuenth of April; and contained in ſubſtance. That the Pope of *Rome* being Vicar of CHRIST, to whom hee hath recommended the feeding of his ſheepe, to reduce thoſe that wander, to bridle with temporall penalties thoſe who cannot be gained by admonitions, he hath not, ſince the beginning of his aſſumption, omitted to execute this charge. Notwithſtanding ſome Biſhops are not onely fallen into hereticall errours, but doe alſo fauour other heretikes, oppoſing the faith. For prouiſion wherein, hee commandeth the generall *Inquiſitors* of *Rome*, to whom hee hath formerly commended this buſineſſe, to proceed againſt ſuch, though Biſhops and Cardinals, inhabiting in places where the Lutheran ſect is potent, with power to cite them to *Rome*, by Edict, or to the confines of the Church, to appeare perſonally, or, if they will not appeare, to proceede to ſentence, which hee will pronounce in priuate Conſiſtorie. The Cardinals, in conformitie of the Popes command, cited, by Edict, to appeare perſonally in *Rome*, to purge themſelues from imputation of hereſie, and of being fauourers of heretikes, *Odet Coligni*, Cardinall *de Chaſtillon*, Saint *Main*, Arch-biſhop of *Aix*, *Iohn de Montluc*, Biſhop of *Valence*, *Iohannes Antonius Caracciolus*, Biſhop of *Troyes*, *Iohn Barbanſon*, Biſhop of *Apame*, *Charles Gilar*, Biſhop of *Chartres*.

But the abſence of *Loraine* in *Trent*, and the expectation of the comming of the new Legates, with opinion that the forme of proceeding in Councell ſhould bee changed, and the dayes of the Paſſion and Eaſter approaching, gaue ſome little reſt from the negotiations. On good Friday, Cardinall *Madruccio* returned, to honour the Legate *Morone*, who was then expected, and arriued the next day late at night. Hee made his entry pontifically

The entry of Card. *Morone* into *Trent*.

vnder

1563 Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

vnder a canopy, was met by the Legates, Ambaſſadours, and Fathers of the Councell, and Clergie of the Citie, and conducted to the Cathedral Church, where the ceremonies vſed in receiuing Legats, were performed. The morrow, which was *Eaſter* day, he ſung the ſolemne *Maſſe* in the Chappell. The Count of *Luna* came to *Trent* alſo this day, and was met by the Prelates, and Ambaſſadours. He entred into the Citie betweene the Ambaſſadors of the Emperour, and of *France*, with many demonſtrations of friendſhip. He was alſo viſited by the French, who tolde him, they had commiſſion from the King and Queene to communicate all their affaires vnto him, and offered to ioyne with him in all the ſeruices of the Catholique King his Maſter. *Luna* anſwered, that hee had the ſame order, to communicate with them, and that he would holde good correſpondencie. Hee viſited the Legats, vſing many louing words, and generall offers.

Card. *Morone* is receiued in congregation.

The thirteenth of Aprill there was a congregation, to receiue Cardinall *Morone*, where, after the *Briefe* of his Legation was read, hee made a ſpeech, fit for the occaſion, and ſaid, that the warres, ſeditions, and other calamities, preſent, and imminent, for our ſinnes, would ceaſe, if a meanes were found to appeaſe GOD, and to reſtore the ancient puritie, for which end the Pope had, with great iudgement, aſſembled the Councell, in which are two Cardinals, Princes, famous for nobilitie and vertue, Ambaſſadours of the Emperour, and of ſo many great Kings, Princes, free Cities and Nations, and Prelats of excellent learning and integritie, and moſt skilfull Diuines. But, *Mantua* and *Seripando* being dead, the Pope had ſubſtituted him, and ioyned *Nauaggero* with him, which he had refuſed, knowing the weight of the burthen, and the weakeneſſe of his ſtrength. But the neceſſitie of obedience hath ouercome feare; that he was commanded to goe to the Emperour, and would returne ſhortly, to treat with the Fathers, in company of the other Legates, that which doeth concerne the ſaluation of the people, the honour of the Church, and the glory of CHRIST; that he brought with him two things; one, a good meaning of the Pope to ſecure the doctrine of faith, to correct bad manners, to prouide for the neceſſities of Prouinces, and to eſtabliſh peace and vnion, euen with the aduerſaries, as much as pietie and the dignitie of the Apoſtolique *Sea* can permit; the other, his owne readineſſe, to doe what his Holineſſe hath commanded him. He prayed the Fathers, that contentions and diſcord, and vnprofitable queſtions being laid aſide, which doe grieuouſly offend Chriſtendome, they would handle ſeriouſly the things that are neceſſarie.

Perſwaſions of the Count of *Luna*.

The Count of *Luna* vſed perſwaſions to all the Prelates, vaſſals of his King, Spaniards or Italians, or beneficed in his ſtates, exhorting them in the name of his Maieſtie, to ſtand vnited in the ſeruice of God, and reuerence towards the Apoſtolique *Sea*, and not to doe themſelues wrong, ſaying hee had commiſſion to aduiſe particularly of the proceedings of euery one, and that his Maieſtie will keepe a particular account of thoſe who will carrie themſelues according to his deſire; and that he would not haue them ſay any thing againſt their conſcience. And hee ſpake ſo, that euery one vnderſtood, that theſe laſt words were ſpoken ſeriouſly, and the other in ceremonie.

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

Morone was willing to see *Lorraine*, before he went to the Emperour, who, because hee would not speake with him, deferred his returne. For hauing spoken in *Venice* with *Nauaggero*, and vnderstood a good part of the Popes instructions, hee was willing to auoide occasion, that *Morone*, communicating vnto him all, or part of that which he was to treate with the Emperour, should put him into some obligation. Whereupon *Morone* parted the sixteenth of Aprill. He said, hee was sent onely to iustifie the Popes good intention, that the Councell might proceede, and an absolute reformation of the Church bee made without any exception. Notwithstanding his other commissions were knowen, which were to dissuade his Maiestie from comming to *Trent*, because many impediments of the reformation would be caused thereby; to excuse the Pope, that he could not personally assist in Councell, and to pray him to hasten the end of it, proposing the translation to *Bolonia*, where his Maiestie and the Pope might meete, which would bee a good meanes for him to receiue the Crowne of the Empire in so famous an assembly; a fauour which neuer had beene done to other Emperours. He had charge also to pray him to maintaine the authoritie of the Apostolike *Sea*, against all the plots, made to diminish it, or rather to bring it to nothing; and that the reformation of the Court of *Rome* might not bee made in *Trent*, but by the Pope himselfe; that no mention might be made of renewing the things determined vnder *Paul* and *Iulius*, in the same Councell; that his Maiestie would be content, that the Decrees should bee made in Councell, by the proposition of the Legates onely, first imparting them, and hauing the consent of the Ambassadours of his Maiestie and of other Princes. He had commission also to giue the Emperour hope of a particular grant of whatsoeuer he would demand, for his people, and to dissuade him from holding intelligence with the French King, in this matter of the Councell, shewing him that as the State of *France* and *Germanie* was not the same, so the ends of his Maiestie and of that King must needes be diuerse, and their counsels different. The Legates, remaining in *Trent*, did willingly giue the Prelates leaue to depart, and especially those who held the institution of Bishops and residence to be *de iure diuino*.

The negotiation of *Morone* with the Emperour.

The 20. of Aprill *Lorraine* returned, and was met by the Ambassadours of the Emperour, of *Polonia*, and of *Sauoy*; and the same day newes came of the peace concluded by the French King with the *Hugonots*, which was more for the aduantage of the Catholique party. For after the battell before mentioned, the factions were equally balanced, vntill the death of *Guise*. Afterwards *Colignie* tooke, by assault, the fort of *Cadome*, with so much reputation to himselfe, and diminution of the Catholiques, that it was resolued in the Kings Councel to conclude the treaty of peace, which was continually managed euer since the battell. To this end, the seuenth of March, an assembly was made, to which the prisoners, *Conde* and the *Constable*, were brought. And, after some speech, they being released, vpon promise, to conclude the 72. conditions, the *Hugonote* Ministers assembled, and resolued not to consent to any agreement, except the Edict of Ianuarie might be obserued, without any exception, or condition; adding also, that hereafter their religion should not bee called new, that children baptized by them

should

1563
Pivs 4.
Ferdinand.
Elizabeth
Charles 9.
Philip 2.

The conditions of the accord in *France*

should not bee rebaptized; that their mariages should bee esteemed lawfull, and their children legitimate. From which conditions because they would by no meanes depart, *Conde* and the Nobility, weary of warre, without calling the Ministers any more, did make the agreement. And the capitulations, concerning religion, were these. That where the Noblemen of the *Hugonots* haue high iustice, they may liue in their houses, in liberty of conscience, and exercise of the reformed religion, with their families, and subiects. That other Gentlemen, who hold in fee, not dwelling vnder other Catholique Lords of high iustice, but immediately vnder the King, may exercise the same in their houses, for themselues, and their families onely. That, in euery Bayliweeke, an house shall be appointed, in the Subburbs, in which the reformed religion may be exercised, by all of that iurisdiction. That euery one may liue in his owne house, without being enquired into, or molested for his conscience. That in all Cities, where that religion hath beene exercised vntill the seuenth of March, it shall be continued in one or two places of that citie, so that the Catholike Churches be not taken for that vse, which also shall be restored to the Ecclesiastiques, in case they haue beene surprised by them, yet so as that they shall not pretend any thing for demolitions made. That, in the Citie and Precincts of *Paris*, there shall be no exercise of that religion, but those who haue houses or reuenues there, may returne and enioy them, without being molested for matters either past or to come, concerning their consciences. That all shall repossesse their goods, honors, and offices, notwithstanding the sentences to the contrary, and executions of them, since the death of *Henrie* the second vntill now. That the Prince of *Conde*, and all his followers shall be said to haue a good end and intention, for the seruice of the King. That al prisoners of warre, or iustice, for matter of religion, shall freely be set at libertie. That an obliuion of things past shall be published, and iniuring and prouoking one another, as also disputing and contending about religion shall be forbid, and that they shall liue as brothers, friends, and fellow Citizens. This accord was established the twelfe of March, to the discontentment of *Colignie*, who said, their affaires were not in state to make such aduantagious conditions. That it was proposed vnto him in the beginning of the warre, to make peace with the Edict of Ianuary, and now that they might require more aduantage, the conditions were worse. To say that in euery Bayliweeke there shall be one place for the exercise of religion, is to take away all from GOD, and to giue him a portion. But the common inclination of all the Nobility did force him to be content. Concerning these conditions the Kings letters were dispatched, the nineteenth of the same moneth: in which it was said, That it hauing pleased God to permit, for some yeares, the kingdome to be afflicted with seditions and tumults, raised for matter of religion, for which cause armes were taken, with infinite slaughters, sacking of cities, ruines of Churches, and now, by continuance of the euill, hauing experience that warre is not the proper remedie for this maladie, the King hath thought fit to reunite his Subiects in good peace, trusting that time, and the fruit of an holy, free, generall, or Nationall Councell will establish the same. And heere the Articles, concerning religion, were added, besides the others in matters of State:

which

which letters were published, and registred in Court of Parliament, and publikely proclaimed in *Paris*, the seuen and twentieth of the same moneth. 1563

This was blamed by the greater part of the Fathers in Councell, who said it was to preferre the things of the world, before the things of GOD, yea to ruine both the one and the other. For the foundation of a state, which is religion, being remooued, it is necessarie that the temporall should come to desolation; whereof the Edict made before was an example, which did not cause peace and tranquillitie, as was hoped, but a greater warre then before. And some of the Prelats did dare to say, that the King and the whole Counsell had incurred the excommunications of many *Decretals*, and Bulls, for hauing giuen peace to the heretikes; and that there was no hope that the affaires of that kingdome would prosper, where there is a manifest disobedience vnto the Apostolike *Sea*, vntil the King and the Councel did cause themselues to bee absolued from the censures, and did persecute the heretikes with all their forces. In defence whereof the French-men saide, that the tribulations, continually supported by all *France*, and the manifest danger of the ruine of the kingdome did sufficiently iustifie this action against the opposition of those, who, regarding onely their owne interests, doe not consider the necessitie in which the King was, which is more potent then any law; alleadging that of *Romulus*, that the good of the people is the most principall law of all. But these reasons were not esteemed, and the King was blamed aboue all, because hee saide in the proheme, that the time, and the fruite of an holy, free, generall or Nationall Councell would cause the establishment of tranquillitie; which they sayde was an iniurie to the generall Councell, to bee put in alternation with a Nationall; and that the Cardinalls of *Borbon*, and of *Guise*, should bee named amongst the Authours of the counsell to make peace, saying it was a great iniurie to the Apostolique *Sea*.

PIVS 4. FERDINAND. ELISABETH. CHARLES 9. PHILIP 2.

The Synode beganne also to bee troubled amongst themselues, for a small cause, which did giue much matter of discourse. Friar *Peter Soto* about this time, and three dayes before his death, did dictate and subscribe a letter to bee sent to the Pope, in which, by way of confession, he declared his opinion concerning the points controuerted in Councell, and did particularly exhort his Holinesse to consent, that residence, and the institution of Bishops might bee declared to bee *de iure diuino*. The letter was sent to the Pope, and Friar *Ludouicus Lotus*, his companion, kept a copie of it; who thinking to honour the memorie of his friend, began to spread it. This caused much speach. Some were mooued with the action of a doctour of an honest life, and at the time of his death. Others saide he did it not by his owne motion, but at the instigation of the Archbishop of *Braganza*. *Simoneta* laboured to get in all the copies, which did increase curiositie, and made them published the more, so that they were in the hands of all. And it is certaine that the maintainers of these opinions were incouraged by this accident. The Spaniards did often meete in the house of the Count of *Luna*, where *Granata* informed him of the present and past occurrences of the Councell, and, the Bishops of *Leria*, and *Patti* being departed, hee saide, these are forlorne men, who, like to animals, suffer the burthen to be laid vpon them, and

The letter of *Soto* to the Pope.

1563 themselues to bee gouerned by the will and opinion of another; who are good for nothing but to make a number: adding, that if in their resolutions they proceeded by number of voyces, as hitherto they had done, little good could bee hoped for; and that it was necessarie that matters should be handled by way of Nations. The Count saide, it was necessarie to prouide for that and many other things, beginning from the reuocation of the Decree that the Legates onely may propose, and from establishing the libertie of the Councell; for which things hee had speciall commission from the King; which being well setled, the residue would be prouided for with ease. The Legats and other Papalins were displeased to see that the Spaniards, their opposites, did neuer go from the Count: and, as it happeneth when one entreth new in a place where are contrarie factions, euery one hopeth to gaine him, the Legates also did striue to put him on the side of the Prelats the Kings Subiects, whom they called their well-willers, because they had intelligence with them, that they might doe a good office, and, as they saide, vndeceiue him, and make him to know the truth. They imployed also herein the Ambassadour of *Portugal*, who, hauing much opportunitie to speake often with him, because those Kings had almost the same interests in respect of matters Ecclesiasticall, did cunningly (because hee was much obliged to the Pope) lay before him the things which the Popes ministers had suggested to him, for the seruice of the Court of *Rome*.

Pivs 4. Ferdinand. Elizabeth Charles 9. Philip 2.

The 22. of Aprill, appointed for the Session, drawing neere, a congregation was held the day before, to consult about the prorogation of it. The Legates did propose the deferring of it vntill the third of Iune. But *Loraine* said it was a great scandall to all Christendome to prorogue the Session so often, and neuer to hold it; which would be increased also if it were put off to another day, and afterwards deferred againe; therfore, seeing that none of the things proposed and handled concerning Residence, and the Sacraments of *Order* and *Matrimony* were resolued, it was better not to prefixe a certaine day, but to expect vntill the twentieth of May, and then to resolue vpon the time, because the progresse of all things would then more plainely appeare; and, in the meane while, not to loose time, voices may bee giuen concerning the Articles of the abuses of the Sacrament of *Order*, before the ende whereof Cardinall *Morone* would be returned from the Emperour, with ample resolution, whereby the matters in controuersie may be composed, and diligence vsed to finish the Councell within two or three moneths. Cardinall *Madruccio* and so many of the Fathers followed that opinion, that it preuailed, and it was decreed that the day to celebrate the next Session should bee prefixed the twentieth of May.

The Congregation being ended, *Antonius Chierelia*, Bishop of *Budua*, who, in deliuering his voyce, was wont to intertaine the Fathers with some wittie conceit, and oftentimes to adde some merrie Prophecies, which were spread abroad in diuers parts, did then also deliuer one concerning the citie of *Trent*. Hee saide in substance; that *Trent* had beene fauoured, and elected for the citie, in which the generall concord of Christendome was to bee established, but beeing made vnworthy of that honour, by reason of the inhospitalitie thereof, would shortly incurre a generall hatred, as the semina-

rie

rie, of greater discords. The sence was couched with diuers *enigmaes*, in a Poeticall Prophoticall forme, yet not so but that it was easily vnderstood. 1563

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

Loraine hauing obtained the generall consent, with so much reputation, the Papalins grew iealous; who, considering the honour which was done to him the day before by those who met him, and now by the receiuing of his opinion, thought it not onely an indignitie to the Legates, but an entrance also to breake the Decree, that onely the Legates should propose. And they speake publiquely, that the Pope said well, that the Cardinall was Head of a partie, and that hee prolonged the quicke dispatch of the Councell, and hindered the iourney to *Bologna*. But *Loraine*, not caring what was said in *Trent*, and intending his negotiation with the Emperour, dispatched a Gentleman to him, with the opinion of the Doctours, concerning the Articles put into consultation by his Maiestie, whom hee caused to tell him, that, for the good proceeding of the Councel, it was necessary hee should speake earnestly to *Morone*, and shew his great desire to see good resolutions, to the glory of God, as also of the desire of all the good Fathers that hee would not remooue further from the Councell, in regard of the fruit which they hoped for, by meanes of his vicinitie, which will keepe euery one in his dutie, and hinder the attempts of those who would translate it into another place, as hee was aduised that some did lay plots to doe, and that before he parted from *Isprue*, his Maiestie would be assured that the libertie of the Councell, whereof hee is protectour, might bee preserued. Hee sent him a copie of the Edict of *Pacification* in *France*, and of a letter of the Queene of *Scotland*, in which shee gaue account of her deliuery from a great conspiracie, and of her resolution to to liue and die in the Catholique Religion. In the end, the Cardinall prayed his Maiestie to vse some meanes that there might bee no dispute in Councell for the precedence, betweene *France* and *Spaine*, that the good proceeding thereof might not bee hindered.

Loraine sendeth a gentleman to the Emperour.

The two Legats, that they might not doe nothing in the absence of *Morone*, did, the 24. of Aprill, impart to the Ambassadours the Decrees composed concerning the abuses of *Order*, that they might consider on them: and the 29. day they gaue them to the Prelats. The first, of the election of Bishops, in which were expressed their qualities conformable to the ancient Canons, the Ambassadours did not approue, because it seemed to restraine too much the authoritie of their Princes in the presentation or nomination of them. And they all laboured very much, especially the Count of *Luna*, that it might be amended, or rather quite omitted; a thing which did likewise much please the Legates. And the Emperours ministers made difficultie also, in regard of their desseigne to make an occasion arise of handling the election of Cardinals, and by consequence, of the Pope.

The same day at night Cardinall *Nauaggero* (hauing giuen out, to auoide meetings and ceremonies, that hee would enter the next day) arriued in *Trent*; who said, that, at their departure from *Rome*, the Pope had told them, that they should make a good and a rigorous reformation, preseruing the authority of the Apostolique Sea, which is absolutely necessary, to keepe the Church in good forme and order.

The Legate *Nauaggero* commeth to *Trent*.

1563
Pius 4. Ferdinand.
Elizabeth. Charles 9. Philip 2.

But notwithstanding all this, his Holinesse in his speaches to the Ambassadours residing with him, desired them to tell him what reformation their Princes would haue. And his end was, that, their demands beeing giuen to him, they might forbeare to present them to the Councel, and so haue means, by shewing the inuincible difficultie in euery particular, to pacifie the raging humour of reformation. And hee said often to the Ambassadors, that their Princes were deceiued if they thought a reformation would reduce the heretiques, who first of all made themselues Apostates, and then alleadged the abuses and deformations, for a pretence, that the true causes which haue mooued the heretikes to follow their false teachers are not the abuses of the Clergie, but of ciuill gouernements; that if all defects of the Ecclesiastiques were wholly corrected, yet they would not returne, but would inuent other colours, to persuere in their obstinacie; that these abuses were not in the primitiue Church, nor in the time of the Apostles, and yet as many heretiques, in proportion of the faithfull, were then as now; that himselfe did desire, in sincerity of conscience, that the Church might bee amended, and the abuses remooued, but saw plainely that those, who doe procure it, doe not aime at this good marke, but at their particular profit, which in case they should obtaine, greater abuses would arise, and the present not bee taken away; that the reformation is not hindered by him, but by the Princes, and by the Prelates in Councell; that himselfe would make one, and that very rigorous also, but in case hee should come to the conclusion, the contentions betweene Princes, some desiring it after one manner, some after another, and those of the Prelates, who are no lesse opposite, would hinder all; that hee knoweth very well that it is vnseemely to attempt that which would onely discouer the common defects and wants, and that those who desire reformation, mooued with zeale, doe, as Saint *Paul* saith, vse it without Christian wisedome, and nothing would bee effected, but as now it is knowen that the Church hath defects, so it would appeare that they are incurable, and, which is worse, men would begin to defend and to iustifie them, as lawfull vses.

The Popes discourse to the Ambassadours.

Hee did expect, with impatience, the end of the negotiation of *Morone*; from whom hee had aduice that the Emperour tooke time to answere, and still continued in consulting vpon the Articles. Hee thought that all the orders and resolutions which came out of *France* to *Rome*, and to the Councell, did proceede from the opinion and counsell of *Loraine*: and therefore, not to omitte any meanes of gaining him, the Cardinall of *Ferrara* beeing to returne into *Italy* very shortly, with whom *Loraine* was to speake, for many causes concerning their common nephewes, hee wrote vnto him to vse perswasions that hee would be content with the translation of the Councell to *Bolonia*; and, that he might bee well informed of the affaires of *Trent*, hee gaue order that *Vintimiglia* should meete *Ferrara*, before his parley with *Loraine*, and carie with him the instructions of the Legats, besides that which himselfe did know.

The Popes plot to gaine the Cardinall of *Loraine*.

The moneth of May did begin with new discourses of the peace of *France*. For the Kings letters came to *Loraine* and the French Ambassadours, to informe them thereof, with commission to impart all to the Fathers of the Coun-

Councell, either in generall or in particular, as seemed then best. The letters were dated the fifteenth of the last month, and did show principally, that, by the peace, he had no intention to favour the introduction, or establishment of a new religion in the kingdome, but that, with lesse contradiction and difficultie, he might reduce all his people to one holy, Catholike religion, by laying downe of armes, and removing the ciuill dissentions and calamities. But he added, that a pious and serious reformation (alwaie expected from a generall and free Councell) would aime him most of all, in this good worke; for solicitation of which, he was resolued to send the President *Birague* to *Trent*. But, in the meane while, he gaue commission to the Ambassadours already in that Citie, to let the Fathers know, vpon euery good occasion, that he was sensible inough of the ruines and afflictions which the diuersity of opinions in religion haue caused in his kingdome, with the apparant decay, and greater danger of the State; that rather then he would returne to that extremety, hee was resolued, in case the generall Councell would not performe its duty, and that which is expected from it, by so holy and necessary a reformation, to call a Nationall, hauing first giuen satisfaction to GOD and men, by continuall perswasions vsed to the Fathers and the Pope, to obtaine of them a remedy against the common euill; that, to effect this with greater ease, he had dispatched the Lord *d'Oysel* to the Catholique King, and the Lord *d'Allegres* to the Pope, and commanded *Birague*, that, after he had performed his charge with the Fathers of the Councell, he should passe to the Emperor, to try, if, by meanes of these Princes, hee might gaine so great a benefit.

1563

PIVS 4. FERDINAND.

ELIZABETH. CHARLES 9. PHILIP 2.

It is certaine that the Pope was much distasted with the peace, as well for the preiudice of his authority, as because it was concluded without his knowledge, hauing made so great contributions to the warr. But the King of *Spaine* was displeased more. For being, by his souldiers, a party in the warre, and the victory, and hauing spent so much, hee thought all was lost, and that it was not iust to conclude a peace without him, to the preiudice of religion, which hee vndertooke to defend and maintaine, especially hauing so great interests therein, in respect of the damage he did receiue in the gouernement of the Low Countries, it being plaine, that euery prosperity of the *Hugonots* in *France*, would encourage the people of *Flanders*, and strengthen them more in their contumacie. For these reasons, the Catholique Ambassadour in *France*, made great complaints: which was the principall cause, why these extraordinary Ambassages were sent to *Rome*, and into *Spaine*, to make knowen that the King and his Councel were not induced to make this accord by their owne will, but by meere necessity, and for feare that grosse Armies would be sent out of *Germany* to the *Hugonots*, which, as was reported, were prepared about *Strasburg*, and in other places. For those Dutch-men, who had made warre in *France*, being returned home, loaden with spoiles, they inuited others to goe thither and make themselues rich. Neither were they without feare that the Princes of the Empire would, vpon that occasion, assay to recouer *Metz*, *Toul*, *Verdun*, and other Cities of the Empire, and that the Queene of *England* would assist the *Hugonots* more potently then she had done, to possesse some other places, as already shee had possessed

1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

possessed *Heure de Grace*. But, besides this principall end of both the Ambassages, *d'Oysel* was afterwards to make a proposition for translating the Councel from *Trent* to *Constance*, *Wormes*, *Ausburg*, or some other place in *Germany*, and to represent to the King, that, in regard it ought to be celebrated for the Dutch, English, Scottish, and part of the French-men, and other Nations, who were resolute not to adhere to, nor euer to accept that of *Trent*, it was in vaine to continue in that place. *Conde* was author of this negotiation; who hoped by this meanes, if it did succeed, to strengthen his party, by vniting it to the interests of so many Kingdomes, and Princes, and so weaken the Catholiques, by promoting difficulties against the Councell of *Trent*. But it did not take effect. For the King of *Spaine* hauing heard the proposition (which I say by way of anticipation that I may not returne to this matter) did perceiue what the aime was; and made a full answere, that the Councel was assembled in *Trent* with all the solemnities, with consent of all Kings, Princes, and at the instance of *Francis* the French King; that the Emperour had superiority in that City, as in the others that were named, and might giue full security to all, in case the former Safe-conduct were not sufficient; that he could not choose but fauour it in the place where it was, and accept the determinations thereof. And he aduised the Pope of all, assuring him he would neuer change that resolution.

The French-men in *Trent* thought it superfluous to make instance to the Fathers, as the King had commanded, before the returne of *Morone*, it being generally resolued that all Conciliary actions should bee deferred vntill then. But the Emperour had not dispatched that Cardinall, and informed *Loraine* at the same time, that, for diuers accidents, and because the propositions were of that weight and importance, as that they did deserue mature deliberation and consultation, he had not beene able as yet, to giue a resolute answere; but hee hoped it should bee such, as to make all men know, that his actions were answerable to his desire, to see the affaires of the Councel set straight, for the common benefit. Therefore, notwithstanding the occasions and vrgent necessities of his other Prouinces, hee resolued to continue his residence in *Isprue*, to fauour the liberty of the Councel, by his presence, vntill hee had hope to see some good fruit. This delay did not please *Morone*, nor that the Emperour should referre, as hee did, all the negotiations to the Diuines, and Counsellors; and both hee and the Pope did doubt that the answere would be deferred vntill he had heard *Birague*, who, as they were informed, was to propose the translation of the Councel into *Germany*, to giue satisfaction to the *Hugonots*; whereunto the Pope was resolute not to consent, as well by his owne inclination, as in regard of the instance made vnto him by the Colledge of Cardinals, and all the Court. And he maruelled at the humor of the French-men, who demanded a reformation and a translation at the same time, and desired to haue a supply from the Clergie, for payment of the Kings debts, and yet would make shew to be fauourers of the Church.

But the truth was that the French-men, being assured they could obtaine nothing fit for their seruice, so long as the Italians did make the maior part, beganne to despaire, and to hold no esteeme of the Councel while it remayned in *Trent*. Therefore they tooke from the Diuines, sent by the King, their publique

publique allowance, and gaue them all leaue either to depart, or remaine there; so that almost all went away, one after another. The two Benedictines remained vntill the end, who were maintained by their Monasteries, as also *Hugenius*, whom the Papalins caused to be lodged, and defrayed, in the Monastery, and gaue him fiftie crownes euery three moneths. 1563

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

Loraine, hauing examined the allegations sent by the Pope to the Emperour, and made a censure vpon them, sent it to his Maiestie: Hee thought he had done all secretly; but *Hugenius* had not onely discouered it, but giuen a copie to the Legats; who, expecting *Morone* shortly, wrot, by order from the Pope, to the Bishops departed from *Trent*, that they should returne, to resume the actions of the Councell. In the meane while a congregation was made the tenth of May, to read the letters of the Queene of *Scotland*, presented by the Cardinall of *Loraine*, in which she declared, that she did submit herselfe to the Councel, made mention of her succession to the Kingdome of *England*, promising that, in case it did happen, she would subiect both those Kingdomes to the obedience of the Apostolique Sea. The letters beeing read, the Cardinall made an eloquent Oration to excuse the Queene, for sending neither Prelates nor Ambassadours to the Councel, because they were all heretiques, and promised that she would neuer vary from the true religion. For answere, thankes were giuen, in the name of the Synode. Some laughed, because the negotiation was as if it had beene of a priuate person, not of a Prince, and marueled that shee had not so much as one Catholique subiect to send. But the wiser sort did beleeue this was begged, and extorted from her, because shee was able to doe like a Prince, in regard she had euer many Catholiques about her.

The censure of *Loraine* vpon the Popes allegations.

The Secretarie of *Loraine* was returned, whom he sent to *Rome*, to cleere him of the imputation that he was a Head of a faction; whom the Pope receiued with demonstration of loue, and seemed to beleeue his exposition; and wrote to the Cardinall that he was content that the contentious matters should be omitted, the doctrines of Order and Residence not spoken of, but the reformation onely treated on. *Loraine*, imparting this letter to *Simoneta*, that order might be taken to begin, was deferred vntill the returne of *Morone*, wherewith he was distasted, as if he had beene mocked by the Pope. And, ioyning this with the aduise which came vnto him, that *Morone*, speaking with the Emperour of the liberty of the Councell, said that himselfe and the French Ambassadors did hinder it more then others, he complained vpon euery occasion to all with whom he spake, that the Councel had no libertie, and that not onely the resolution of euery little particular was made at *Rome*, but that the Fathers, and especially the Cardinall *Madruccio*, and himselfe were not thought worthy to know what was commaunded by the Pope, that they might conforme themselues to the will of his Holinesse, and that it was strange that so many Curriers should bee dispatched from *Trent* to *Rome* by the Legats, for euery small occurrence, and sometimes many concerning the same matter, and yet it could neuer be knowen what resolution or answere came from thence. The Papalins blushed hereat, because the things were so apparant, and publike, that they could neither be denyed, nor excused. *Loraine*, full of these ill satisfactions, being called the next day to consul-

1563. PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

consultation, to treat of beginning the Congregations, because *Morone* had written hee would bee in *Trent* within eight daies, both parties stood a good while without speaking one word, and afterwards entring into complements, they parted one from another, without talking of the businesse.

Lanfac speaketh freely to the Legats.

The Proctors of the French Prelats, who remained in the kingdome, being arriued in *Trent*, they desired the Ambassadours that they might be admitted in Congregation; which *Simoneta* refusing, *Lanfac* replied, that they had demaunded it in reuerence, not because they did acknowledge the Legats for Iudges, and that he was resolute that the difficulties should be proposed in Councell. This made the Legats alter their purpose to expect *Morone*, and appointed a Congregation for the foureteenth of May, to handle the abuses of Order. Where *Loraine*, giuing his voice concerning the first point, (which afterwards was taken away for the causes which shall bee related hereafter) spake at large of the abuses occurring in that matter. And, that he might more freely inueigh against the disorders of *Rome*, he began with *France*, not sparing the King; he condemned the *Concordate*; said that the distribution of the benefices of the kingdome, which ought to belong to the Chapters, was diuided betweene Pope *Leo*, and King *Francis*, scarcely forbearing to say, as the prey is diuided amongst Hunters. He disliked that the King and Princes had the nomination of Prelatures, and that Cardinals did possesse Bishopricks; and blamed also the accord lately made by the King with the *Hugonots*. But, leauing *France*, he said that *Rome* was the fountaine whence all disorders did issue, that no Cardinall was without a Bishopricke, yea, without many, howsoeuer those charges were incompatible; that the inuention of *Commendaes*, *vnions* for life, administrations, by which, against all law, many benefices were giuen to one person alone really, with appearance that he had but one onely, was a mocking of the Maiestie of GOD. He often alleadged that place of Saint *Paul*; *Take heed of errors, for God is not mocked, and one shall reape onely that which he hath sowed.* He spake much against dispensations, by which the strength of all lawes is taken away; as also against many other abuses, and with such eloquence, that hee spent the whole Congregation. His discourse was not well taken by the Papalins. *Simoneta* did openly treat with diuers Prelats to oppose him, and said he spake like the *Lutherans*, and God grant that he were not of their opinion: wherewith *Loraine* was much offended, and complained to the Pope. In the Congregations following, nothing but ordinarie, vnworthy of Memory, was spoken, except one would relate the flatteries, oblikely vsed, by those who had vndertaken to iustifie the vsances reprehended by *Loraine*.

The Cardinal of *Loraine*, in deliuering his suffrage.

Is thought to speake like a Lutheran.

In this interim Cardinall *Morone* had his dispatch in writing from the Emperour, in very generall termes; that he would defend the authoritie of the Pope against heretickes if need were; that hee would remaine at *Isprue*, and passe no further, that the translation of the Counceł to *Bolonia* was not to be made, without consent of the Kings of *France* and *Spaine*; that, for his coronation, he could not resolue before he had proposed it in Diet, because being done on the sudden, it would giue much matter of discourse to *Germanie*; that he would rest satisfied with the proceeding in Councell vpon these two conditions; that the reformation might be made in *Trent*, and that

euery

euery one might propoſe: deſiring they would preſently begin to handle the Articles exhibited by him and *France*. Concerning this negotiation of the Cardinall, and of the anſwere made, I haue related what I haue found regiſtred in publike monuments; but I ought not to omit the fame, then diuulged in *Trent*, and beleeued by men of the greateſt vnderſtanding, that the Cardinall had treated with the Emperour, and with his ſonne, King of the *Romans*, more ſecret matters, and ſhewed them, that in reſpect of the diuers ends of Princes and Prelats, and of their diuers and important intereſts, which were contrary, it was impoſſible the Councell ſhould haue ſuch an end as ſome of them did deſire. He told them, that, in the matter of the Chalice, marriage of Prieſts, and of the vulgar tongue, things deſired by his Maieſtie and the French King, neither the King of *Spaine*, nor any Prince of *Italy* would euer conſent; that, in matter of reformation, euery ſort of perſons would remaine in their preſent ſtate, and reforme others; whence it commeth that euery one demandeth reformation, and yet, when any Article thereof is propoſed, more doe oppoſe then fauour it; that euery one thinketh of himſelfe onely, and doth not conſider the reſpects of another; that euery one would haue the Pope a miniſter of his deſignes, not thinking whether others will remaine offended for it; for whom it is neither honeſt, nor profitable, to fauour one with the diſſeruice of another; that euery one would haue the glorie, to procure the reformation, and yet perſeuere in the abuſes, laying the burthen vpon the Pope onely. The Cardinall diſcourſed alſo, that, for the reformation of the Pope himſelfe, he would not ſay what the minde of his Holineſſe was, but for that which neither doth nor can touch him, how can any one perſwade himſelfe that hee would not condeſcend, but that hee knoweth that which is vnknowne to others, becauſe the reſpects of all are referred vnto him alone. He ſaid moreouer, that the experience of theſe fifteene moneths, ſince the opening of the Councell, hath ſhewed, that the pretentions are multiplied, and the diuerſitie of opinions increaſed, and doe ſtill proceede forward to the height; that, in caſe it ſhould continue long, ſome notable ſcandall muſt neceſſarily happen. Hee tolde him of the icalouſie which did poſſeſſe the Princes of *Germanie* and the *Hugonots* of *France*, and concluded that ſeeing it was plaine that the Councell could doe no good, it was expedient to finiſh it in the beſt manner it was poſſible. It was ſaid that thoſe Princes were perſwaded that they could neuer obtaine any thing that was good by meanes of the Councell, and therefore thought it better to burie it with honour, and that they gaue their word to that Cardinall to vſe conniuencie hereafter, and not to take it ill if the Councell were ended. And hee that ſhall obſerue what ende the Councell had, and that thoſe Princes had no ſatisfaction in any of their demands, will eaſily beleeue that the fame was true; but conſidering, on the other ſide, that the inſtances of the Emperours miniſters did not ceaſe after this negotiation, hee will thinke it a vaine rumour. But to auoyde both the abſurdities, one may beleeue that thoſe Princes did then lay hope aſide, and reſolue not to oppoſe the ending of the Councell; yet ſo, as that they helde it not honourable to make a ſudden retreate, but

1563
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

The ſecret negotiation of the Card. *Morone* with the Emperor.

Who giueth his word to conniue hereafter.

1563 but to remit their instances by degrees, that they might not publish their want of iudgement, for conceiuing hope of good by that meanes, and for not beleeuing the obseruation of Saint *Gregory Nazianzen*, who testifieth, that contentions haue alwayes beene encreased by the Episcopall assemblies.

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The trueth of this particular I put in the number of those things, the knowledge whereof I cannot attaine vnto. But it is certeine that the *catastrophe* of the Councell, which it was thought could not possibly haue a quiet conclusion, had beginning in this time.

THE

1563

PIVS 4.
FERDINAND.

ELIZABETH.
CHARLES 9.
PHILIP 2.

THE EIGHTH BOOKE OF THE HISTORY OF THE COVNCELL OF TRENT.

THe seuenteenth of May, Cardinall *Morone* returned to *Trent* from his Legation in *Ispruc*; and the Legates presently beganne to treat amongst themselues about the certaine day of the Session, because the twentieth was neere when it was to be determined. And, because they knew not when the matters would bee in order, in the Congregation of the ninteenth day, a prorogation was made vntill the tenth of Iune, to determine then the prefixed time. In that Congregation two notable things did happen. One was the contention, whether it did belong to the Legates, or to the Councel, to determine whether the Proctors of the Bishops ought to bee admitted in Congregation, begunne (as wee haue said) by *Lansac*. The French Prelates did maintaine, that the Legats had no other prerogatiue but to be the first, and had no authority, as they were separated from the Fathers of the Councel; alleadging the Councel of *Basil*, and other monuments of antiquity. On the other side, it was said, that the Councel could not bee lawfull, except it were called by the Pope, and that it belongeth to him onely to determine who may assist and haue voice in it; and that to giue this power to the Councel, would be to giue it authority to generate it selfe. After some contention, the matter did remaine vndecided. In giuing of voices concerning the abuses of *Order* another question succeeded. For the Bishop of *Philodelphia* made a great and a long exclamation, that Cardinals haue Bishopriques without maintaining so much as a Suffragan; which was much derided by many, as if the Bishop, being but titular, had spoken for the interest of himselfe, and of such as he was.

A question about the authoritie of the Legates.

In the Congregation of the 21. of May the Count of *Luna* was receiued, forty daies after his arriuall, in regard of the difficulties for precedence with the

The Count of *Luna* is receiued in Congregation.

1563 Pius 4. Ferdinand. Elizabeth Charles 9. Philip 2.

the French Ambaſſadors. In the meane while, many conſultations were held to compoſe them; but the French would by no meanes yeeld that hee ſhould haue any place but below, and after them. Whereupon he thought to ſtand on his feet in the midſt of the place amongſt the Emperors Ambaſſadours (who had order from their Maſter to accompany him) and to ſtand by them vntill he had finiſhed his oration, and then to returne preſently to his houſe. But this ſeemed diſhonourable for the King. Therefore he laboured to perſwade the French not to enter in Congregation that day; whereunto they not conſenting, he thought to force them to it, by making ſome Spaniſh Prelat demaund, that Secular Ambaſſadours might not aſſiſt in the Congregations, becauſe they were neuer admitted in the ancient Councels. But thinking that this would offend all Princes, hee purpoſed to vſe meanes that ſome Prelats ſhould propoſe the handling of ſome things, at which it would not be reaſonable that the French Ambaſſadors ſhould bee preſent; as might be, the preiudices which might come to Chriſtendome by the capitulations made with the *Hugonots*; or ſome ſuch thing. This, comming to the eares of the Cardinal of *Loraine*, put another courſe in his head; and, conſulting with the other French-men, they reſolued not to conteſt any more, if a place were giuen him a part out of the order of the Ambaſſadors. Therefore the Count, entring into the Congregation the day before mentioned, and comming to the place aſsigned for him, which was in the midſt of the aſſembly ouer againſt the Legats, he preſented the *Mandat* of his King; which being read by the Secretarie, he immediatly proteſted, that, howſoeuer, in that and all other places, he ought to be next after the Emperours Ambaſſadours, yet becauſe that place, the cauſe which was handled, and the time did not comport that the courſe of diuine matters, and of the publike welfare ſhould be hindered by humane contentions, he did receiue the place giuen him, but proteſting that his modeſtie, and the reſpect hee had not to hinder the progreſſe of the Councel ought not to be preiudiciall to the dignitie and right of his Prince, *Philip*, the Catholike King, nor of his poſteritie, but that they remaine intire, ſo that they may alwaies make vſe of them, as if his due place had now beene giuen vnto him; requiring that his proteſtation might be written in the Acts, and that they may not be publiſhed without it, and a copie thereof giuen vnto him. After this the French Ambaſſadors did proteſt alſo, that if they ſhould ſet in any other place then next to the Ambaſſadors of the Emperour, and before the Ambaſſadors of other Kings, which their Predeceſſors haue alwaies held, and namely in the Councel of *Conſtance*, and the *Lateran*, they ſhould bee wronged; and if the new place in which the Ambaſſadour of his Catholike Maieſtie did ſet, ſhould bring any preiudice to them, or the other *Orators*, the Fathers of the Councel, repreſenting the Church vniuerſall, ſhould reduce them to the ancient order, or giue them the Euangelicall admonition. But the Fathers holding their peace, and the Emperors Ambaſſadours ſaying nothing, whoſe intereſt is common with thoſe of *France*, becauſe they ſit next vnto them, and ſo preſerue the ancient poſſeſsion of their King, the French Ambaſſadours in regard of the amity and alliance betweene the Catholike and moſt Chriſtian Kings, demanded nothing but that the Fathers of the Councell would de-

His proteſtation about his place.

clare

clare that the Count his fact could not preiudice the ancient prerogatiue and perpetuall possession of his most Christian Maiestie, and register this in the Actes. 1563

The Oration was made, in the name of the Count, by *Petrus Fonsidonius*, a Diuine; who said in substance. That, the ende of the Councell drawing neere, his Catholike Maiestie had sent that Ambassadour, to shew himselfe readie to doe for it that which *Martianus* the Emperour did in the Councell of *Chalcedon*, that is, to maintaine and defend the trueth, declared by the Synode, to pacifie the tumults, and to conduct to an happie ende that Councell which his Father, *Charles* the fifth, Emperour, hath protected in its birth and growth, for the cause whereof hee hath made most difficult and dangerous warres, and which his Vncle, the Emperour *Ferdinand* doeth maintaine; that his King hath omitted no office of a Catholike Prince, that it might be called and celebrated; that he hath sent the Prelats of *Spaine*, and most learned Doctors besides; that hee hath preserued religion in *Spaine*; that he hath hindered the entrance of heresie at all the passages of the *Pirenies*; nor suffered it to passe to the *Indies*, whither it hath laboured to penetrate, to infect the rootes of Christianitie, springing in that new world; that, by meanes of that King, faith and puritie of doctrine doeth flourish in that kingdome, so that the holy mother the Church, when shee seeth other Prouinces infected with errours, taketh great consolation, that *Spaine* is the holy anchor for refuge of all her calamities. Hee added, would to GOD that other Catholike Princes and Christian common-wealthes would imitate the feueritie of that King, in bridling the Heretikes, that the Church might bee deliuered from so many miseries, and the Fathers of *Trent* from the care of celebrating the Councell; that his King maried with *Mary*, Queene of *England*, for no other ende then to reduce that Island to the true religion. Hee repeated the late assistance sent to the King of *France*, adding, that, by the vertue of his Souldiers, though but few, sent for defence of religion, the victorie inclined to the Catholike partie. Hee saide the King desired the establishment of the doctrine of religion and the reformation of manners. Hee commended the Fathers, because, in the handling of these two, they would not separate the one from the other, howsoeuer great instance was made vnto them to cause them to omit the doctrine, and proceed in the reformation only. He said the Kings desire was they should examine well the petition, more pious then circumspect, of those, who say that some thing ought to bee graunted to the Protestants, that, being ouercome with kindnesse, they may returne to the bosome of the Church; saying, that they haue to doe with persons, who cannot be bowed neither with benefits nor with pittie. Hee exhorted the Fathers, in the Kings name, to proceede in such sort, as to shew they haue a greater care of the Maiestie of the Church, then of the desires of those that wander, and that the Church hath alwayes vsed this grauitie and constancie in repressing the boldnesse of her enemies, not to graunt them so much as that which it honestly might. He said, the King desired that superfluous questions might be omitted; and concluded, that the Fathers being assembled to doe so good a worke, as to cure the diseases which afflict Christendome; if this were not effected, posteritie would blame none but them, and wonder, that, being a-

Pav 2 4. Ferdinand.

Elizabeth. Charles 9. Philip 2.

The Oration made in his name.

ble,

1563 ble, they would not also bee willing to apply the remedie. Hee prayſed the vertues of the Ambaſſadour, and the glorie of his houſe; and ſo ended. An-
Pius 4. Ferdinand. ſwere was made, in the name of the Synode, that, in their griefe for the com-
Elizabeth. Charles 9. Philip 2. mon miſeries, they receiued conſolation, hearing the pietie of the Catholike K. related, and, aboue all, that his promiſe to defend the Decrees of the Coun-
The anſwere. cell was moſt acceptable, which the Emperor, and other Chriſtian Kings and Princes being willing to doe alſo, the Synod was ſtirred vp to take care that her actions may be anſwerable to their deſires; as it hath done already, both by their own inclination and by the exhortation of the Pope, alwayes imploying themſelues in the emendation of maners, and in the explication of the Catholike doctrine; that it gaue the Kings many thanks, as for his ſingular affection towards religion, and good will towards the Synod, ſo for ſending ſuch an *Orator*, from whom they did hope for honour and aſſiſtance.

The Oration diſpleaſed all the Ambaſſadours, becauſe it was a manifeſt reprehenſion of all Princes, for not imitating the Catholike King; and they complained thereof to the Count, who anſwered, that thoſe wordes did as much diſpleaſe him, yea that he gaue order to the Doctor to leaue them out, and not to ſpeake them by any meanes, and that he would be ſenſible of his diſobedience. The French-men in *Rome* blamed much thoſe in *Trent*, for
The French-men in *Rome* complaine of the Cardinall of *Loraine*. conſenting to the place giuen to the Spaniſh Ambaſſador. They ſaide that *Loraine*, for his owne intereſts, and to gratifie the Catholike King had done this great preiudice to the Crowne of *France*; as alſo becauſe hee had counſelled the Pope not to grant the King the alienation of 100000. crownes of Eccleſiaſticall goods, as he demanded. They added that in all things he aymed only at his owne intereſts, and therefore becauſe neither he, nor his brother, did manage the money, he did not care though the King ſhould receiue none at all. But the difference for precedence was not as yet well ended. For howſoeuer there was a place found for the Spaniſh Ambaſſadour in the congregations, the ſame could not bee giuen him in the Seſſions. Whereupon the Legates wrote to the Pope, to haue order how to gouerne themſelues.

The ſtate of religion in *Piemont*. After the Spaniſh Ambaſſador was receiued, *Loraine* parted to meet with the Card. of *Ferrara*; who, being arriued in *Piemont*, found the affaires of that Countrey in no better ſtate then thoſe in *France*. For in diuers places of the *Marquiſate* of *Saluzzo* all the Prieſts were hunted away; and in *Cherie*, and *Cuni*, places belonging to the Duke of *Sauoy*, and in many other Cities neere vnto them, many were of the ſame opinions with the *Hugonots*, and many euen in the Dukes Court alſo did profeſſe them, and more were diſcouered euery day. And howſoeuer the Duke had ſet forth a Proclamation, a moneth before, that all that followed thoſe opinions ſhould within eight dayes part out of the Countrey, and ſome alſo were departed, yet afterwards he commanded that there ſhould bee no proceeding againſt them, yea pardoned many condemned by the *Inquiſition*, and made their proceſſes void, as alſo of thoſe who were in the *Inquiſition*, and not condemned, and gaue leaue to ſome that were departed, to returne. But the Cardinall, vnderſtanding the reaſons of the Duke, was forced to beleeue that which hee was vſed to ſay of the affaires of *France*, that to doe ſo, would turne to the ſeruice of the Church.

This Cardinall receiued instruction in the same place, from the Bishop of *Vintimiglia*, who went expressly to informe him (as hath been said before) of the affaires of the Councell, and how to treate with *Loraine*. Both the Cardinals met in *Asti* the foure and twentieth of May. *Ferrara* hauing related the State of *France*, and of their familie, since the death of the Duke of *Guise*, and of the *Prior*, exhorted him to a sudden returne, shewing what necessitie the family had of his presence. Hee told him, that, since the peace was made with the *Hugonots*, the reformation would not produce those good effects in *France* as was beleeued. But he found (which hee could not haue beleeued before) that hee had a great impression, that his honour did require that he should not abandon the negotiation. *Loraine* complained that *Morone*, returned from the Emperour, had acquainted him with no part of his businesse, saying that hee had been aduised of all by his Maiestie. Hee said that the Catholique King was well vnited with the Emperour, and that there was good intelligence betweene the Count of *Luna*, and him. In the matter of residence, hee said it was necessary it should bee declared, and that this was the opinion of the Emperour, and of almost all the prelates, except some few Italians, and that the declaration was demanded, that the Pope might not dispence; so that the labour of the Cardinall of *Ferrara* did little good. And the Cardinall of *Loraine* returning to *Trent*, did diuulge, that the Cardinall of *Ferrara* had perswaded him, in the name of the Pope and Legates, that the residence might bee determined with a penall Decree, without declaring that it is *de iure diuino*; whereunto hee said hee would neuer assent.

1563
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.
The Cardinals of *Loraine* and *Ferrara* meet in *Asti*.

But Cardinall *Morone*, to pacifie *Loraine*, before hee entred seriously into the affaires of the Councell, knowing it was necessary to make shew of referring all matters vnto him, went to visite him, pontifically, with the Crosse before, accompanied with many Prelates; and after complements told him that his desire was he should giue counsell, and commaund, and proceede, as if hee were one of the Legates; that the Pope did desire a reformation, and had sent 42. Articles, very seuere; and written, that those which were mentioned by the Emperours and French Ambassadors, should be proposed also, leauing those which belong to the Court of *Rome*, which his Holinesse will reforme himselfe, for the vpholding of the authority of the Apostolique *Sea*. But *Loraine* suspecting that *Morone* had a purpose to lay some bad matter vpon him, and to make the *Spaniards* mistrust him, answered, that the weight of a Legate was too heauie for his strength, who was not able to doe more then to giue his voyce as an Archbishop; that he commended the zeale of his Holinesse to reforme other Churches, and desired he would bee content that the Bishops should giue as many Articles also for the Cardinals and the residue of the Court; that the Apostolique *Sea* was worthy of all reuerence, and respect, but the abuses ought not to be couered with that cloake. The answere of this Cardinall made the Legates resolue to proceede warily, vntill matters were better in order: and, in the meane while, the Italian Prelates were secretly and seriously perswaded not to consent that the Decree of residence *de iure diuino*, might bee receiued.

And their reference was to no purpose.

1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

There fell out an accident which was sufficient to confound and diuide the Popish Prelates amongst themselues. For aduice came to *Trent* that Cardinals should be created the next Ember weeke, and a list of those who were in *Rome* was sent. The pretendants, who were manie, were ill satisfied, and, as passionate men vse to doe, did not containe themselues within such bounds, but that their words did shew their affections, and that they were very sensible of it. In particular, *Marcus Antonius Columna*, Archbishop of *Taranto*, and *Alexander Sforza* Bishop of *Parma*, (who, in regard of the great power of their families in Court, had more hope then others) were noted to haue said, that they would hold intelligence with *Loraine*; which *Simoneta* beleeuing, did aduise it to *Rome*: wherewith they were both much offended, and spake very feelingly of it. The distastes did continue certaine dayes: but no promotion of Cardinals beeing made, and satisfaction beeing giuen to these Bishops, all things were finally well accommodated.

Loraine doth remit his rigor.

After this time *Loraine* began to remit his rigor. For *France*, beeing now, by obseruation of things past, assured, that nothing fit for the seruice of that kingdome could possibly bee obtained in *Trent*, and seeing also that the peace was accommodated with great facilitie, so that there was hope to restore absolute obedience to the King, without medling with Religion, and perhaps beeing informed by the Emperour of the treatie with *Morone*, as also in regard of the perswasions which the Pope vsed to the Queene mother by his *Nuncio*, did resolue not to labour any more, with such affection, in matters of the Councell, but rather to gaine the good will of his Holinesse; and if any good came from *Trent*, to receiue it, and onely to take care that nothing should bee done to their preiudice. Therefore the Queene wrote to *Rome*, and offered the Pope to ioyne with him to finish the Councell quickly, to curbe *Loraine*, and the French Prelates, that they may not impugne his authoritie, and to cause all the *Hugonot* Souldiers to depart from *Auignion*, and the territorie thereof. Shee wrote likewise to the Cardinall of *Loraine*, that the affaires of *France* did proceede exceedingly well, and that to giue them perfection, nothing wanted but his presence, where beeing able to doe more good then in *Trent*, in which place he had found by experience that no profitable thing can bee done, hee should vse meanes to quitte himselfe of those affaires, and returne assoone as was possible, seeking to giue the Pope all satisfaction, and to make him his friend, and, for matters of the Councell, not to thinke on them, more then his conscience and honour did compell him. Shee added, that hee should haue the same authoritie in the kingdome as hee had before; and therefore should hasten his returne.

The Queene mother writeth to the Pope and the Cardinall of *Loraine*.

The Queenes letters came to *Rome* and *Trent* in the end of May; which, as they were very gratefull to the Pope, and made him beleeue he should see a good end of the Councel, so an other accident did much displease him. For, in *France*, consultation beeing had how to pay the debts of the Crowne, the Decree, for aliening the valew of one hundred thousand crownes of Ecclesiastical immooueable goods, was confirmed by the Kings Edict, and sentence of the Parlament. This raised a great tumult of the Priests, who said, their

Ecclesiastical goods are alienated in *France* without the Popes leaue.

their priuiledges and immunities were violated, and that sacred things could not be alienated for any cause whatsoeuer, without the authority and doctrine of the Pope. To pacifie which noise, the Ambassadour desired his Holinesse to giue his consent, alleadging, that the King was exhausted by the late warres, designing so to put his affaires in order, that he might beginne, as his purpose euer was since the making of the peace, to reunite all the Kingdome in the Catholique religion; and, that he might be able to force whatsoeuer should oppose, he meant to impose a subsidie, and to cause the Clergie to contribute their part also; wherein the Church was so much more bound then others, by how much her interests were more in question; that, all being considered, nothing was found to bee more conuenient to supply that necessity with the alienation of some few Ecclesiasticall reuenues; wherein he desired the consent of his Holinesse. 1563.

The Protestation of the Ambassadour which maketh the Pope angry.

The Pope answered, that the demand was painted foorth with a false pretence of defending the Church, but was the onely way to ruine it; for the auoiding whereof, his securest course was not to consent to it. And howsoeuer some might thinke that the French would proceed to execution without him, yet he was of opinion that leaue would not haue beene demanded, in case they could haue found buyers without it, thinking that none would dare to aduenture their money, fearing (as the affaires of the world are vncertaine) a time might come in which the Ecclesiastiques would resume their rents, and not restore the price. Therefore, hauing proposed the businesse in Consistory, by the deliberation of the Cardinals, he resolued not to consent, but, by diuers excuses, to shew it was impossible to obtain that demand at his hands. *Loraine*, bearing an irreconciliable hatred to the *Caluinists*, not so much for religion, as for faction, which himselfe and his house had alwaies with them, beeing assured it was impossible to reconcile friendship, was much displeased that the matters of the peace did proceed. For his returne into *France*, hee thought fit to consider very well when and in what manner it ought to bee; and, for his particular affaires, hee thought it necessary to hold good intelligence with the Pope, and Court of *Rome*, and with the Ministers of *Spaine* also, more then formerly he had done. Therefore he beganne from that day not to be so seuere in procuring the reformation, and to shew greater reuerence to the Pope, and to haue good correspondence with the Legats.

A great difference in *Rome* about precedence betweene the French and Spanish Ambassadours.

But besides the trouble for the demand of the alienation, the Pope had another, of no lesse weight. For, hauing often promised the French Ambassadour to giue him his due place at Whitsontide, and desiring to performe it, hee assembled some Cardinals to finde a meanes to giue the Spanish Ambassadour satisfaction. The courses were proposed; one to giue him place vnder the Deacon on the left hand; another, vpon a stoole at the top of the Deacons bench. But these did not take away the difficulty. For there remained still matter of concurrence in bearing the traine of his Holinesse, and giuing water for his hands, when hee did celebrate the *Masse*, and in receiuing *incense* and the *pax*. The difficulty of the traine and the water did not presse them then, because the Pope was not to celebrate, and the Emperours Ambassadour was to bee there. For the *incense* and the *pax*, a temper was found,

1563 found, that they should be giuen to all on the right side, euen to the Ambassadour of *Florence* also, who was the last, and then to those on the left. The French was not content with this, and said, that the Pope had promised him his place, and that the Spaniard either should not come, or should stand vnder him; and would depart from *Rome*, if this were not performed. And it pleased the Spanish Ambassadour as little: whereupon the Pope sent him word that he was resolute to giue the French Ambassadour his place. The Spaniard answered, that, if the Pope were resolute to doe him that grieuance, hee would read a writing to him. The Cardinals, who treated with him in the Popes name, shewed him it was not good to doe so, before his Holinesse had seene it, lest, not being knowen before, some inconuenience might arise. The Ambassadour was vnwilling to giue it, but, in the end, was content. Which the Pope hauing read, was very angry at the forme of words, which he said were impertinent. Finally, he was brought into the Popes Chamber with foure witnesses, where he read his protestation, on his knees; which did containe. That the King of *Spaine* ought to precede the French King, in regard of the antiquity, power and greatnesse of *Spaine*, and of the multitude of his other Kingdomes, by which he is the greatest and most potent King of the world; because the Catholike faith, and Church of *Rome*, haue euer beene defended, and preserued in his states; that, if his Holinesse will declare, or hath declared, in words or writing, in fauour of *France*, the grieuance and iniustice was notorious. Therefore he, in the name of his King, doeth contradict all declaration of precedence, or equality, in fauour of *France*, as frustrate and void, against the notorious right of his Catholique Maiestie: and, if it hath beene made, there is a nullity in it, being done without knowledge of the cause, and citation of the party, and that his Holinesse doing this, will be cause of great inconueniences in all Christendome. The Pope answered admitting the Protestation, *Si*, and in *quantum*, excusing himselfe for the citation omitted, because hee gaue nothing to the French-men, but preserued the place in which he had euer seene them, next the Emperors Ambassadours; but offered notwithstanding to commit the cause to the Colledge of Cardinals, or to the whole *Rota*, adding, that he loued the King and would doe him all the good offices he could. The Ambassador replied, that his Holinesse had depriued himselfe of doing the King any good office, by giuing him so great a grieuance. The Pope answered againe, not for our cause, but your owne, and for the benefits done by vs to the King, these words were not worthy to bee put into the protestation made vnto vs.

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The Protestation of the Spanish Ambassador.

Birague commeth to *Trent*.

The President *Birague* arriued in *Trent* at the same time, whom (as we said before) the French King had sent to the Councel and the Emperour, who was receiued in Congregation the second of June; where no Ambassadors inferior to the French were present, that he might not giue them place, because he had not the title of Ambassadour in the Kings letters. He presented the letters of the King, dated the fifteenth of April, which said in substance. That the troubles and intestine warres, raised in the kingdome, for cause of religion, were very well knowen, as also his labour, euen with the ayde and assistance of Princes and Potentates his friends, to giue a remedie

Is receiued in congregation.

by armes; that it pleased God, in his incomprehensible Iudgements, not to 1563.
suffer those remedies of armes to produce any thing but cruelties, slaughters, sackings of Cities, ruines of Churches, losse of Princes, Lords, Knights, and other calamities and desolations, so that it is easie to know that they were not fit to heale the infirmitie of Spirits, which are ouercome onely by reason, and perswasion; that this hath caused him to make a pacification, according to the contents of his letters, dispatched vpon that occasion, not to permit the establishing of a new faith in the kingdome, but that, armes being laid aside, he might, with lesse contradiction, make an vnion of all his subiects in the same holy and Catholike religion; a benefit which he did expect from the mercy of God, and from a good and serious reformation, which he did promise himselfe from the Synod. And because he had many things to represent to them, and to desire of them, he resolued to send Monsieur *Renato Birague*, who would informe them of all by word of mouth, praying them to receiue and heare him with courtesie.

PIVS 4. FERDINAND. ELIZABETH. CHARLES. PHILIP 2.

The letters being read, the President spake, relating very particularly the discords, warres, and calamities of *France*, the State and necessitie into which the King and kingdome were reduced, the imprisonment of the Constable, and death of the Duke of *Guise*, which made them to be as it were without armes. He iustified the accord at large, as being made for pure and meere necessitie, and with more aduantage to the Catholike partie, then to the contrary. That the intention of the King and Councell was not to suffer an introduction, or an establishment of a new religion, but, on the contrary, armes and disobedience being remoued, to reduce, with lesse contradiction, and by the waies obserued by his ancestors, to the obedience of the Church those that were out of their way, and to reunite all in an holy Catholique profession, knowing very well that the exercise of two religions cannot long subsist and continue in one kingdome. Then he said that the King did hope to reunite quickly all his people in one opinion by the singular grace of God, and by meanes of the Councell, a remedy vsed alwaies by the ancients against such euils as those were, which did then afflict Christendome. He prayed the Fathers to further the Kings good intention, by a serious reformation, by reducing manners to the integritie and puritie of the ancient Church, and by composing the differences in religion, promising that the King would alwaies bee Catholike, and deuoted to the Church of *Rome*, according to the example of his ancestours. Hee said, in conclusion, that the King did trust in the goodnesse and wisedome of the Fathers, that they would compassionate the miseries of *France*, and labour to cure them. The President had commission to demand, that the Councel might be translated to a place where the Protestants might haue free accesse. For, notwithstanding all the securities giuen by the Pope and the Councell, they held *Trent* suspected, and desired a place where the Emperour might secure them. But he touched not this point, by the aduise of *Loraine* and the French Ambassadours, who thought it not fit to make mention thereof, and held it as reuoked, considering the letters written to the Pope and to *Loraine*, of which mention hath been made.

And maketh an oration.

Order was giuen before vpon consultation of the Legats, that the *Speaker* should

1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

ker should answer *Birague* in the name of the Synod, condoling the misfortunes and calamities of the kingdome of *France*, and exhorting the King, that having beene forced to make peace, and to grant some thing to the *Hugonots*, to restore religion intirely, he would, for the seruice of GOD, when the kingdome was in peace, labour without any delay, that this good end might be obtained. And they shewed this answere to *Loraine* after the *Masse*, before they entred into the Congregation. Who said, hee did not like they should approue the Kings fact, whereof they should rather complaine, as preiudicial to the faith; and therefore that it was better to take time to answer, as the vse is in matters of importance. Whereupon they gaue order that *Birague* should be answered thus in substance. That in regard the things related and proposed by him were of great weight, and had need of much consideration, the Synod would take a fit time to answere him. The French Ambassadours were much displeased with this fact of *Loraine*, thinking that, if the Legats had not beene disposed to commend the Kings actions, hee ought to haue incited them, yea to force them as much as he could, whereas on the contrary, they iudging a commendation of the fact to bee iust and reasonable, as indeed it was, he had dissuaded them. But, consulting amongst themselues, they resolued not to write thereof into *France*, for many respects; and *Lansac*, being to returne shortly, might make that relation which should be thought necessary.

A tumult in *Bauaria* for the Cup, and marriage of Priests.

The moneth before there hapned a great tumult and popular commotion in *Bauaria*, because the Cup was not allowed, nor married men suffered to preach; which disorder proceeded so farre, that, to appease them, the Duke promised in the Diet, that, if in all Iune a resolution were not made in *Trent*, or by the Pope, to giue them satisfaction, himselfe would grant both the one and the other. This newes comming to the Councell, made the Legats dispatch in diligence *Nicolaus Ormanetus*, to perswade that Prince not to make such a grant, promising that the Councell would not bee wanting to his necessities. To whom the Duke answered, that, to shew his obedience and deuotion to the Apostolike *Sea*, he would vse all meanes to entertaine his people as long as he could, expecting and hoping that the Councel would resolue that which they saw to be necessary, notwithstanding the determination made before.

The Bishop of *Nimes* speaketh against *Annates*.

But the Congregations proceeding in handling the Conciliarie matters, in one of them the Bishop of *Nimes*, speaking of the abuses of *Order*, discoursed of *Annates*. He said, that howsoeuer it could not be denied that all Churches ought to contribute to the Pope for maintenance of his Court, yet he could not commend that payment, as well for the manner, as the quantitie; because it would be enough if the twentieth part were paid, whereas this is perhaps more then the tenth; and for the manner, that no man ought to bee forced to pay them, but after the yeare was ended. And seeing that the Court of *Rome* must be maintained by the contributions of all Churches, it is iust that they should receiue some profit thence, whereas many, and almost all the abuses of Christendome do arise, by meanes of the Officers thereof; of which the Synod ought to aduertise his Holinesse, that he might make prouision therein. He descended to speake in particular of the ordinations of

Priests

Priests made at *Rome*; saying, that the Canons and decrees are not obserued in them, and that it would be necessary to decree, that in case the Priests ordained in *Rome* were not sufficient, the Bishops (notwithstanding the ordination) might suspend them, and that the suspended might not, by way of appellation or other recourse, hinder the determination of the Prelate. The last that spake in that Congregation, was the Bishop of *Osmo*; who said, that as the abuses of *Orders* are collected, so it were good to handle penances, and Indulgences also, because all those three matters are of affinity, and goe hand in hand. 1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

In another Congregation the Bishop of *Guadice* spake very long; and, amongst other things, made, as it were, an inuectiue against the ordination of titular Bishops, vpon occasion of speaking on the fourth Article of the abuses; in which he said, that to redresse the great scandals which doe arise by meanes of such Bishops there should be no more created without vrgent necessitie, and in that case, before they were ordained, the Pope should make prouision that they might liue according to the dignitie of a Bishop. He said, that to the dignitie of a Bishop is annexed the hauing of a place and a Diocesse, and the Bishop and Church are relatiues, as man and wife, of which one cannot be without the other; and therefore it did imply a contradiction, to say that titular Bishops were lawfull. He said their ordination was an inuention of the Court, and vsed these words, *Figmenta humana*; that there is no mention of them in antiquitie; that if any Bishop were depriued, or did renounce, he was not held to be a Bishop, as he is not an husband who wanteth a wife; that the old Canonists do write, that there is a nullity in the ordinations made by him who hath renounced his Bishoprick; that the Simonies and indecences which do arise by meanes of these Bishops and the other corruptions of discipline, are nothing in comparison of this abuse of giuing the name of Bishops to those who are not, and to alter the institution of Christ, and the Apostles. The Bishop of *Guadice* speaketh against titular Bishops.

Simon de' Negri, Bishop of *Sarzana*, entring into the same matter, sayde, that in a Bishop are to bee considered *Order*, and iurisdiction; in respect of *Order* hee hath nothing but that he is minister of the Sacraments of *Order* and *Confirmation*, and, by Ecclesiasticall constitution, hath authoritie of many consecrations and benedictions, which are forbid to simple Priests. But in respect of iurisdiction hee hath authoritie of gouernement in the Church, whereas titular Bishops haue the power of *Order* onely, without iurisdiction; and therefore it is not necessarie they should haue a Church. And if a Bishop was not consecrated in former times, except hee had a Church giuen him, this was because no Deacons or Priests were consecrated without a title. Afterwards, it appearing that more seruice was done to God, and to the greatnesse of the Church hauing Priests without title, the same ought to bee concluded of Bishops; yet so, as that, to auoide abuses, it was conuenient not to ordaine any without giuing them whereon to liue, that they may not be forced to indignities; but otherwise it is necessarie they should bee created to supply the places of vnable Bishops, or of those who haue a lawfull cause to be absent from their Churches, or of great Prelates, imployed in greater affaires; and therefore he did approoue the Article as it was vnfoulded. Who are defended by the Bishop of *Sarzana*.

The

1563
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

The Bishop of *Lugo* discourſed of Diſpenſations; ſaying, that there were many matters, concerning which if the Synod would make decrees, declaring them to be indiſpenſable, it would be a great ſeruice to God, and benefit to the Church. Which he did not ſay, becauſe the Synod might giue a Law to his Holineſſe, but becauſe they are things in which diſpenſations of Popes cannot be admitted; and if in a rare caſe, in a whole age, a reaſonable cauſe to diſpence, might happen once, yet the diſpenſation would not be iuſt in that caſe neither. For it is conuenient that a priuat perſon ſhould ſupport ſome grieuance, when there is a great publike benefit, as alſo, where many caſes deſeruing diſpenſations may occurre, to take away occaſions of obtaining ſurreptions, ſupplications, and graces, it is better to be auaritious then liberall.

Of Diſpenſations.

One of the difficulties of the Councell, which was about Biſhop *Tileſius*, the Secretary, in regard of whom frequent inſtance was made, that the Acts of the Councell might be written by two, did ceaſe of it ſelfe. For he, not able to ſupport the paine of the ſtone any longer, reſolued to be cut. After he was retired, that charge was giuen to the Biſhop of *Campania*, whoſe firſt action was in the Congregation of the ſeuenth of Iune, to reade the anſwer which the Legats had made, to giue to the Preſident *Birague*; which, being long and propoſed on the ſudden, not aſſiſted in voice by any of the Legats, and very ambiguous, with words which might be drawen to the commendation or the diſpraiſe of the accord made by the King, was not vnderſtood by all in the ſame ſence; whereupon there were diuers opinions amongſt the Prelats. The Cardinall of *Loraine* firſt ſpake at large of it, and was not vnderſtood whether he did approue it or not. The Cardinall of *Varmia*, vrged to it by *Morone*, deſired him, after hee had made an end, to declare plainely what he thought, and he anſwered that it did not pleaſe him: to the great diſtaſt of *Morone*, who had ſhewed it to him before, and he ſeemed to be content. *Madruccio*, who followed, referred himſelfe to the Fathers; of the others ſome did approue it, and ſome not. The French Prelats complained, that, againſt the orders obſerued in the Synod in like occaſions, the anſwer was deferred and diſputed. The Biſhop, Ambaſſadour of the Duke of *Sauoy*, when it was his turn to ſpeak, ſaid, that the matter ought to be referred abſolutely to the Legates, and the two Cardinals. When all the voices were deliuered, the Arch-biſhop of *Lanciano* ſtood vp, and ſaid; that howſoeuer he had concluded otherwiſe in his ſuffrage; yet hauing heard the Ambaſſadour, he was of his opinion; and the ſame was approued almoſt by the voice of all together.

The answere to *Birague*.

The eleuenth of Iune a conſultation was holde by the Legats, Cardinals, and twentie Prelats, to finde a meanes to eſtabliſh the doctrine of the Inſtitution of Biſhops. *Loraine*, in deliuering his minde, touched the opinion of the Frenchmen, that the Councell is aboue the Pope, alleadging alſo that it was ſo defined in the Councels of *Conſtance* and *Baſil*. Hee concluded that hee did not deſire another declaration from that Councell, but ſaid, that if they would be of accord with the Frenchmen, it was neceſſary that no words ſhould be put in the Decrees which were to be compoſed, which might preiudice that their opinion. The Archbiſhop of *Otranto*, comming to ſpeake,

enlarged

enlarged himselfe with many wordes, to conuince that Cardinall, resuming and refuting whatsoeuer hee had said in fauour of the superioritie of the Councell. He added, that some helde the opinion of the superioritie of the Councell to be as true as *Verbum caro factum est*; saying hee knew not how they could secure themselues in their conscience, wherein he meant *Loraine*, who was said to haue vsed this comparison. And, descending afterwards to discourse of the Institution of Bishops, hee said there had beene no controuersie in this matter, if the forme proposed by the Cardinall of *Loraine* had not giuen occasion. The Cardinall answered, that, at his comming to *Trent*, he found the difficulties already mooued; that he had composed that forme, being requested, with intention to make peace and concord, and to remedy the differences; that this not succeeding, hee would be glad that the Archbishop might obtaine that honour which himselfe could not doe; thanking him besides, that, as his master, he had put him in minde of that wherein hee had failed. And, for the question of the superioritie of the Councell, hee said, that being borne in *France*, where this opinion is common, neither hee nor the other Frenchmen could leaue it, and did not beleeue, that, for holding it, they should be forced to make a Canonicall abiuration. The Archbishop replyed, that he disliked the forme, because it was imperfect, whence the difficulties did arise; but, for the rest, it was not a place to answere him, and that he did little esteeme the iniuries he did him. But he complained of some who did professe to accuse the actions of the Legats, wherein they did not shew a good minde. The Cardinall was silent, and made no shewe hee was offended. The Count of *Luna*, whether of his owne accord, or at the instance of the Frenchmen, reprehended the Archbishop, saying, that if it came to the eares of his Catholique Maiesty, it would certeinly displease him. And a French Prelate, either by order from *Loraine*, or of himselfe, did aduertise *Morone*, that that Archbishop did much passe his bounds; that he vsed badde speeches, in handling the matter of Residence; and that the Cardinall was aduised that hee was continually abused in his house; and that the most honourable title he gaue him, was, *a man full of poison*; so that, in regard of these things, and of this last accident also, it would not be good to call them both together to consultation, because the Cardinall would not rest satisfied. *Morone* answered precisely, that hee had order from *Rome* to call that Archbishop to all consultations, and that it was conuenient to holde esteeme of him, because hee had at the least fourty voices which did follow him. This, being related to *Loraine*, did make him exceeding angry against Cardinall *Morone*; and the rather, because a few daies before the Legats and Cardinals consulting together about the answer to be giuen to *Birague*, referred to them by the Congregation, *Morone* did vpbraid him, that he was content with the answere first made, and afterwards said the contrary in the generall Congregation. And *Loraine* considered very much with himselfe, in what manner hee might shew himselfe sensible of the small account was made of him, especially being aduised from *Rome*, that the Pope did accuse him for a man scandalous, and desirous to vnite the Catholiques and Protestants. But weighing his owne interests, which did mooue him not to separate himselfe from *Rome*, but rather to seeke meanes to bee reuni-

ted,

1563

Pivs 4. Ferd nand. Elizabeth. Charles 9. Philip 2.

A contestation betweene the Archbishop of *Otranto*, and the the Cardinall of *Loraine*.

The Archbishop of *Otranto* had 40. voices at his command.

1563
Pius 4. Ferdinand.
Elizabeth Charles 9. Philip 2.

ted, his profit ouercame his passion, and so hee resolued to continue in promoting the conclusion of the Councell, and giuing the Pope satisfaction.

Birague parteth from *Trent* without his answere.

But the President *Birague*, hauing expected an answere as long as he thought his honour would permit, the thirteenth day parted from *Trent*, to goe to *Isprue*, to negotiate the other part of his instructions with the Emperour; which was to giue him ioy of the election of the King of the *Romans*, and an account for what causes the Peace was concluded with the *Hugenots*, and to answere him concerning the restitution of *Metz*, and of other Imperiall Cities.

His negotiation with the Emperour.

He had instruction also, that, ioyntly with the King of *Spaine*, they should vse perswasions for the translation of the Councell into *Germany*. This particular being imparted to *Loraine*, to receiue aduice from him in what manner to proceede in it, or whether hee should omit it, as hee had done in *Trent*, the Cardinall resolued, for the same reasons, that hee should make mention of it, as of a thing rather to bee desired, then hoped for, or attempted.

The Spanish Ambassadour maketh instance that the Decree, *Proponentibus Legatis*, may be abrogated.

The Count of *Luna* had expresse order in his instructions, to demand a retraction of the Decree, *Proponentibus Legatis*; and after his arriuall in *Trent* he receiued a letter from the King, which told him, that hee was desired by the French Queene, that the councel might be translated into *Germany*, that it might be in a free place, and that he had answered, that hee did not thinke it necessary, in regard there was meanes to procure the liberty of it in the place where it was; therefore hee gaue him commission to labour, that it might haue full liberty, beginning from the reuocation of that Decree; because, that continuing, the Councel could by no meanes be called free. The Ambassadour, thinking hee could not deferre any longer, imparted this commission to the Legates, and, in conformity thereof, made effectuall instance, in the Kings name, that the Decree might be abrogated, or expounded, saying, it was conuenient so to doe, because the *Germanes* did forbeare to come to the Councel for this cause amongst others, and because the Emperour did thinke it necessary, that hee might be able to induce them to receiue the Councel. They answered, that the Decree was made by common consent of all the Fathers; notwithstanding they would consider on it, and resolue that which should seeme iust, after hee had presented the instance in writing. The Ambassadour gaue it, and the Legates sent it to the Pope: howsoeuer *Morone* said, it was superfluous, and that nothing was to be done but to delay the answere, without troubling his Holinesse. In the negotiation of Princes, especially those which doe not touch the substance of their State, it hapneth, that howsoeuer they doe change opinion by the change of occurrences, yet by the persuasions made before the change, things contrary to their new will do fall out. And so it was, that the perswasions made by the Queene Mother to the King of *Spaine*, before she resolued to giue totall satisfaction to the Pope concerning the Councell, did produce the effect of that letter of the King. Therefore *Morone*, who did penetrate the bottome, did not hold that esteeme of it as some thought.

The fifteenth of Iune *Morone* proposed in Congregation that the fifteenth of Iuly might bee appointed for the determinate day of the Session. *Segouia*, and some few others said, they saw not how the difficulties which were vpon

their

1563
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

their hands could be resolued in so short a time, of *Hierarchie*, of *Order*, of the institution of Bishops of the preheminence of the Pope, and of Residence; and that it was better to decide the difficulties first, and afterwards to appoint a short terme for the day of the Session, then to appoint it now, and afterwards to prolong it with indignitie. But the contradictors being but few, the proposition was established, as it were, without difficultie. The next day *Laynez*, Generall of the *Iesuites*, in giuing his suffrage, bent all his forces to answere whatsoeuer had beene said by others, not conformeable to the doctrine of the Court, with so great affection, as if his saluation had beene in question. In the matter of dispensations he was exceeding copious; saying, it was spoken without reason that there is no other power of dispensing but interpretatiue and declaratiue; for so the authoritie of a good Doctor would be greater then of a great Prelate; and that to say the Pope cannot, by dispensation, disoblige him who is obliged before God, is nothing but to teach men to preferre their owne conscience before the authoritie of the Church; which conscience, because it may bee erronious, as it is for the most part, to referre men to that, is nothing but to cast euery Christian into a bottomlesse pit of dangers; that as it cannot be denied, that CHRIST had power to dispence in euery law, nor that the Pope is his Vicar, nor that there is the same tribunall and consistorie of the Principall and the Vice-gerent, so it must bee confessed that the Pope hath the same authoritie; that this is the priuiledge of the Church of *Rome*, and that euery one ought to take heede, in regard it is heresie to take away the priuiledges of the Church, because it is nothing but to denie the authoritie which CHRIST hath giuen it. Then hee spake of reforming the Court; and saide: that it is superiour to all particular Churches, yea to many ioyned together; and if it doeth belong to the Court of *Rome* to reforme each Church, which doeth appertaine to euery Bishop in Councel, and none of them can reforme the Roman, because the scholar is not aboue his master, nor the seruant aboue his Lord, it followeth, by necessary consequence, that the Councell hath none authoritie to meddle in that businesse; that many did call those things abuses, which, if they were examined, and sounded to the bottome, would be found to be either necessarie, or profitable; that some would make the *Sea* of *Rome*, as it was in the time of the Apostles, and of the Primitiue Church, without distinguishing the times, not knowing what doeth belong to those and what to these; that it is a plaine case that, by the prouidence and goodnesse of GOD, the Church is made rich, and that nothing is more impertinent then to say that God hath giuen riches, and not the vse. For *Annates* he saide, that it is *de iure diuino* that Tythes and first Fruites should bee payde to the Cleargie, as the *Iewes* did to the *Leuites*: and as the *Leuites* payde the Tenthes to the high Priest, so ought the Ecclesiasticall order to the Pope, the rents of Benefices being the Tithes, and the Annates the Tithes of the Tithes. This discourse displeased many, and particularly the French-men; and there were Prelates who noted some things which they meant to answere, if occasion serued, when their turne was to speake.

The Suffrage of *Laynez*.

The Spaniards and French-men thought, that that Father spake thus, by order, or by consent of the Legates, alleadging for an Argument the many

Fauours done vnto him.

1563
Pivs 4.
Ferdinand.
Elizabeth
Charles 9.
Philip 2.

fauours which were done vnto him, vpon all occasions; and especially, because, whereas other Generals were wont to stand on their feet, and in their place when they gaue their voyce, *Laynez* was called into the middle, and made to sit downe, and many times a congregation was made for him only, to giue him commoditie to speake what hee would; and howsoeuer none was euer halfe so prolixe as hee, yet hee was praised, and those against whom hee spake could neuer bee so briefe, but they were reprehended for being too long. But *Laynez*, knowing what offence the French-men did pretend to haue receiued, sent his companions, *Torre* and *Cauillone*, to make an excuse to *Loraine*, saying, that his redargutions were not meant of his *Excellencie*, or any of the French Prelates, but of the Diuines of the *Sorbone*, whose opinions are not conformeable to the Doctrine of the Church. This beeing related to the Cardinall, in a Congregation of French-men, helde in his house, the excuse did much distast the Prelates, some saying it was petulant, and others scornefull, and those few Diuines which remained were sensible of it; so that *Hugonius* himselfe, whom they had bought, did thinke it vnsufferable. *Verdun* thought hee was touched in particular, and obliged to reply, and prayed the Cardinall to giue him leaue, and occasion. Hee promised to speake modestly, and to shew that the doctrine of the *Sorbone* was orthodoxe, and that of the *Iesuit* new, and neuer heard of in the Church before, that is, that the key of authoritie is giuen by Christ, without the key of knowledge; that the holy Ghost, giuen for the gouernement of the Church, is called, by the holy Scripture, the spirit of truth, and the operation thereof in the gouernours of the Church, and Ministers of Christ, is to leade them into all truth; that, for this cause, Christ hath made his Ministers partakers of his authoritie, because hee hath withall imparted to them the light of doctrine; that Saint *Paul* to *Timothie*, writing that hee is constituted an Apostle, doeth expound it thus, that is, a Doctor of the *Gentiles*: who, in two places, prescribing the conditions of a Bishop, saith, he must be a Doctour; that, obseruing the vse of the primitiue Church, it will appeare, that the faithfull did goe to Bishops for dispensations, and declarations, because those onely were assumed to that charge who were most of all instructed in Christian doctrine; that, to omit antiquitie, the Schoole-men, and greater part of the Canonists haue constantly said, that the dispensations of Prelates are good, *Clane non errante*, and not otherwise. *Hugonius* also did offer to proue that assertion, *that there is the same tribunall of* Christ *and of the Pope*, to bee impious and scandalous, making mortalitie equall to immortalitie, and corruptible iudgement of man, to the incorruptible iudgement of God, and that it did proceede from ignorance; that the Pope is that seruant, which is set ouer the familie of Christ, not to performe the office of the maister of the familie, but only to distribute to euery one, not arbitrarily, but that which is ordained by the maister; that he was amazed that Christian eares could indure to heare that the whole power of Christ is imparted to any. They all spake, some censuring one, some another of the *Iesuites* assertion. But the Cardinall told them, that it would be no small matter if they could obtaine that, in the publike Decrees of the Councell, way might not bee giuen to that doctrine; at

His excuse.

Giueth distast to the French-men.

which

which it was conuenient that all should aime; to which end they should more easily come, if the matter were passed ouer in silence; and suffered to dye in oblition, which, by contradiction, might doe some preiudice to the trueth. They were pacified; yet not so, but that, in their priuate meetings, they spake of it very much.

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

But the Legates did so accommodate the two Articles of the Institution of Bishops, and of residence, with generall tearmes, that they gaue satisfaction to both parties, and to *Loraine* also. But hauing consulted on them with the Popish Diuines, and some Canonist Prelates, these said, that they did admitte an interpretation, preiudiciall to the authoritie of the Apostolike *Sea*, and the vses of the Court. The Bishop of *Nicastro*, who had often contended in this matter in fauour of *Rome*, said plainely, that, by that forme of speach, it was inferred that all iurisdiction of Bishops did not proceede from the Pope, but a part of it immediatly from CHRIST; which was by no meanes to bee endured. Other Papalins maintained the same, and made a bad interpretation of all, if it were not plainly said, that Bishops haue all iurisdiction from the Pope. Therefore the Legates sent the Articles thus reformed to the Pope, not so much that they might bee examined in *Rome*, as because, in a matter of so great importance, they would propose nothing without the Popes knowledge. The Cardinals deputed for these affaires, hauing seene and examined them, did iudge that that forme was sufficient to make all Bishops in their Dioceses equall to the Popes. And the Pope reprehended the Legates for sending them, because hee knew that the *maior* part in the Councell were good Catholikes, and deuoted to the Church of *Rome*, and in confidence hereof, was content that the propositions and resolutions should bee determined in *Trent*, without his knowledge. Notwithstanding hee thought he ought not to consent to any preiudiciall thing, for feare of giuing bad example to them, and beeing a cause that they also should assent vnto it, against their conscience.

The Decrees of the institution, and of Residence.

At this time they had another very hard negotiation also. For the King of the Romanes being to send Ambassadours, to giue him an account of his election, would not doe as other Emperours and Kings had done, who, hauing no cause to make difficultie, did promise and sweare whatsoeuer the Popes would haue them. But hee hauing respect not to offend the Princes and Protestants of *Germanie*, would first knowe what words must bee vsed. The consultation hereof beeing committed to the Cardinals, they resolued, that hee must demaund confirmation of the election, and sweare obedience, according to the example of all other Emperours. Whereunto he answered that they were deceiued, and that hee would consent to nothing which might preiudice his successours, as the actions of his predecessors were alleadged against himselfe, and that it was to confesse he was *Vassall*. And he proposed that his Ambassadour should vse these words; that his Maiestie will performe all reuerence, deuotion and duty to his Holinesse and the Apostolique *Sea*, with promise not onely to preserue, but to enlarge as much as hee can, the holy Catholique faith. This negotiation continued this whole yeere without agreement; and, finally, in *Rome* they thought they had

A difficulty whether the King of the Romanes ought to promise obedience to the Pope.

found

1563 Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

found a temper for it, proposing that hee should sweare obedience not as Emperour, but as King of *Hungarie* and *Bohemia*, because it could not bee denied, they sayd, that King *Steuen* did giue the kingdome to the Apostolique *Sea*, in the yeere of our LORD 1000, acknowledging to receiue it from the said *Sea*, and making himselfe vassall; and that *Vladislaus*, Duke of *Bohemia*, did receiue from *Alexander* the second power to weare a miter, binding himselfe to pay an hundred markes of siluer euery yeere. These things being considered of in *Germany*, because there was no proofe of them but the bare affirmation of *Gregorie* the seuenth, were derided, and answer was made, that they desired more fresh examples, and more certaine, and more lawfull titles. Messengers went to and fro, with diuers propositions, answeres, and replies, of which wee will now relate the issue, that wee may returne no more to them: Which was; that, twentie monethes after, Count *Elfestain*, Ambassadour of that King, arriued in *Rome*, with whome the same treaties were renewed, to demand confirmation, and sweare obedience. Hee answered that the Oration, which he was to recite punctually, was in writing, and that hee had commission not to alter one iote. The Pope therefore proposed the businesse to the Cardinals, in a generall Congregation; who after long consultation, concluded, that, howsoeuer the confirmation were not demaunded, nor obedience promised, yet, in the answere to the Ambassodour, it should bee sayd, that his Holinesse did confirme the election, supplying all defects thereof *de facto & de iure*, and did receiue the Kings obedience, without saying it was demanded, or not demanded, promised or not promised. This ceremony gaue but small content to the Pope, and lesse to the Colledge of Cardinals.

But to returne to the time whereof I write, the Pope was to answere the frequent instances, made vnto him by the Ambassadours, resident in *Rome*, and by the Count of *Luna* in *Trent*, for abrogation of the Decree of *Proponentibus Legatis*. And, beeing satiated with this trouble, hee wrote to the Legates, that the suspension of it should bee proposed in Congregation. But *Morone* answered the Ambassadours, who vrged the Popes order, that rather then hee would condescend vnto it, hee desired that his Holinesse would remooue him. This answere being giuen, without participation of the other Legates, and many other things resolued by him alone, put them in a iealousie, that hee tooke too much vpon him; saying, that howsoeuer hee might haue instructions apart, yet he ought not to execute them, without aduising them first, and communicating all vnto them, at least in the execution.

Morone is thought to take too much vpon him by the other Legates.

In the Congregation of the one and twentieth of Iune, the answere to be made to the President *Birague*, composed by the Legats and Cardinal of *Loraine*, was read; which passed without difficultie. And because hee was not present, that it might not be giuen him by word of mouth, they sent it after him in writing. And *Adamus Fumanus* was deputed Secretary, ioyned with *Tilesius*, who continued in his indisposition. But the differences about the Articles of the institution of Bishops, and of the authority of the Pope remaining still, or rather increasing, and it beeing plaine, that to speake of them in Congregation, would augment them more, the Prelates, as it were,

with

with a common consent, began to handle them particularly, and to propose courses to finde a temper for them. Some, desirous to burie these controuersies, and to proceede, seeing no meanes of concord, gaue counsell to omit both the matters absolutely: which opinion, howsoeuer in conclusion it was receiued, in the beginning had much contradiction. The Spaniards did oppose; who, by all meanes would haue the Episcopall iurisdiction to proceede from CHRIST; and the Cardinall of *Loraine* went further, and, would haue it defined, that their vocation and place were immediately from God. And the French-men did desire, that the Popes authority might be so declared as that it might neither contradict, nor dispense with the Decrees of the Generall Councel. Others said that this course serued onely to defer, without assurance that the delay would doe any good. For when they came to the conclusion of the Councel, it would be necessary to define all matters which haue beene examined; so that the difficulty would returne; and, in case the French-men should depart first, as they resolued to doe, there would be danger of schisme, if afterwards any controuersed point should be handled. Besides, in regard of the intelligence of *Loraine* with the Emperour, those who knew not their new thoughts, did beleeue, that the French-men being gon, his Maiestie would recall his Ambassadours also: in which case it would bee small reputation to continue the Councel, and, to determine any thing, would bee thought to be a thing done without authority.

1563

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

Another difficultie as great as this was in the election of Bishops. For many of the Fathers would haue it said, that there is an obligation to elect the most worthy, and, for confirmation, alleadged many Canons, and holy Doctors. The Papalins said, on the contrary, that this was to binde the authority of the Pope, that hee could not gratifie any, and that the vse of the Court, time out of mind, hath beene, to thinke it sufficient if a man worthy were elected. The French and Spanish Ambassadours also did not agree, because it did too much restraine the power of Kings in nominations, if they were bound to goe about and seeke the most worthy. Many Prelates went vp and downe, vsing perswasions, that the Article might not bee receiued, though it were without the addition of electing the most worthy; and especially the Bishop of *Bertinoro*, and the Generall *Laynez*, distributing some annotations, and aduertisments, made by them, shewing that great inconueniences would ensue by that Decree. For in it was contayned, that a Cathedrall beeing vacant, the Metropolitane should write vnto the Chapter, the name of him who was to be promoted, who should afterwards be published in pulpit in all the Parish Churches of the City on Sunday, and hanged on the doore of the Church, and afterwards the Metropolitane should go to the City vacant, and examine witnesses concerning the qualities of the person; and all his letters patents and testifications being read in the Chapter, euery one should be heard who would oppose any thing against his person; of all which an instrument should bee made, and sent to the Pope, to bee read in Consistory. This constitution they said would bee a cause of calumnies and seditions, and that heereby some authority was giuen to the people, with which they would vsurpe the election of Bishops, which formerly they were wont to haue. Others beeing stirred vp herewith, made the same oppositions

1563 positions against the Article, concerning those who are to bee promoted to the greater orders; in which it was said, that their names ought to be published to the people three Sundaies, and affixed to the doores of the Church, and that their letters testimoniall ought to bee subscribed by foure Priests, and foure Laiques of the Parish; alleadging, that no authority ought to bee giuen to the Laitie in these affaires, which are purely Ecclesiasticall. In these perplexities the Legates knew not what to doe, but to enioy the benefit of time, and to expect some ouerture, to come to the end of the Councel, to which they saw not how they should be able to arriue.

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

Another trouble beganne about the reformation of Cardinals. And the Pope vnderstanding that this was spoken of in all Courts, and that in *Trent*, the Ambassadours of *France*, *Spaine*, and *Portugal*, were combined to demand it of the Councel, hee wrote to the Legates for aduice, to know whether it were better to handle it at *Rome*, or in *Trent*. He proposed the same in Consistorie, ordayning also a Congregation to consult on it, and, particularly, to finde a meanes that Princes might not intermeddle in the *Conclaue*, in the election of the Pope. And, to proceed with all circumspection in a businesse of so great weight, he sent many Articles of reformation to *Trent*, drawen out of the Councels, with order that the Legats should impart them to the principall Prelats, and signifie their opinions. The Cardinals of *Loraine*, and *Madruccio*, answered, they would not deliuer their owne opinions, before they vnderstood the Popes mind, and afterwards it would be necessary to thinke very much on it. And *Loraine* said, that there are many things which are thought worthy of correction, which himselfe did thinke could not iustly be reprehended, and others which might in part, but not absolutelie. Hee descended to the particular of hauing Bishopriques, saying, there was no inconuenience that a Cardinall Priest should haue a Bishoprique, but did not like that a Cardinall Deacon should bee a Bishop; and that, for this cause, he had counselled his brother, the Cardinall, to leaue the Arch-bishoprique of *Sans*. But this matter of reformation of the Cardinals was quickely put to silence. For those who were in *Trent*, inclining rather to haue it handled by the Pope and Colledge, and those who pretended for the *red Cap*, doubting their desires might be crossed, they did, with great facility, leaue to speake of it. The Pope also thought to make a constitution, that no Bishops should haue any temporall offices, either in *Rome*, or in the Ecclesiasticall Dominion. But he was aduertised by *Simoneta*, and other Prelats, that it would be a great preiudice to the Ecclesiastiques of *France*, *Polonia*, and other Kingdomes, where they are Counsellors of Kings, and haue the principall offices, of which they might easily bee depriued, if Princes should take example by his Holinesse, and the Secular Nobility incite them to it, for their owne interests. Therefore if he would execute this his determination, hee should doe it in effects, and not in writing, lest he should damnifie the Clergy in other Kingdomes very much.

The reformation of Cardinals.

Did quickely vanish.

The Empeour found by experience, either at this time, or two moneths before, when *Morone* was with him, that his vicinity to the Councell did not onely no good, as hee thought it would, but the contrary rather. For the popish Prelats, suspecting his designes were against the authority of the

Court,

Court, were afraid of euery thing; ſo that the difficulties and ſuſpitions did turne into bitterneſſe, and increaſe in number. Therefore, hauing other buſineſſe wherein to employ himſelfe with more profit, he departed; and wrot to the Cardinall of *Loraine*, that the impoſſibility of doing good in the Councel being palpable, he thought it was the duty of a Chriſtian and wiſe Prince, rather to ſupport the preſent euill with patience, then by curing it, to cauſe a greater. And to the Count of *Luna*, who went vnto him by Poſt, three daies before, he gaue order to write to the Catholike King, concerning the Decree, *Proponentibus Legatis*, exhorting his Maieſtie in his name to bee content not to deſire the reuocation, or declaration; and if hee did thinke that the not declaring of it might preiudice other Councels, the declaration might, if need were, be made in the end of this. And notice beeing giuen, that they conſulted at *Rome* and in *Trent*, to proceede againſt the Queene of *England*, he wrote to the Pope and the Legates, that, if the Councell would not yeeld that fruit, as was deſired, that they might ſee an vnion of all Catholiques to reforme the Church, at the leaſt they ſhould not giue occaſion to the heretickes to vnite themſelues more, which they would do, in caſe they proceeded againſt the Queene of *England*. For vndoubtedly they would by that meanes make a generall league againſt the Catholikes, which would bring forth great inconueniences. And his admonition was ſo effectuall, that the Pope deſiſted in *Rome*, and reuoked the commiſſion giuen to the Legats in *Trent*. After that the Pope had giuen diſtaſt to the Spaniards, in not giuing place to the Ambaſſadours, to appeaſe them againe, he gaue eare to the inſtance of *Vargas*, who had troubled him many daies together, deſiring that as meanes was found that the Count of *Luna*, the Ambaſſadour of his King, might come into congregations, ſo, the time of celebrating the Seſſion drawing neere, his Holineſſe would find a way that he might be there alſo. Whereof hauing conſidered well, and conſulted with the Cardinals, he reſolued finally that a place, ſeparated from the other Ambaſſadours, ſhould be giuen the Count in the Seſsion alſo; and to remedy the competency which would be in giuing the *incenſe* and the *pax*, he gaue order that 2. *Cenſers* ſhould be vſed, and *Incenſe* giuen to the French-men and the Spaniard both at once; as alſo two *Paxes* to be kiſſed at the ſame inſtant. And hee wrote to the Legats to doe ſo, commaunding that they ſhould conceale all vntill the time of the execution, for feare ſome inconueniences might bee prepared if it were knowen.

1563

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The Emperor parteth from *Iſpruc.*

And dehorteth ſ Councel from proceeding againſt the Q. of *England.*

Morone, according to the Popes commaund, concealed the order, neither did the Frenchmen know of it at all. On Saint *Peters* day, the 29. of Iune, the Cardinals, Ambaſſadours, and Fathers being aſſembled in the Chappell of the Cathedrall Church, and the *Maſſe* being begun, which the Biſhop of *Aſti*, the Duke of *Sauoy* his Ambaſſadour, did celebrate, on the ſudden a murrey veluet chaire came out of the Veſtry, and was placed betweene the laſt Cardinall, and the firſt Patriarke: and by and by the Count of *Luna*, the Spaniſh Ambaſſadour, came in, and ſat vpon it; whereat the Prelats kept a great murmuring. *Loraine* complained to the Legats of this ſudden Act, concealed from him. The French Ambaſſadours ſent the Maſter of the ceremonies to make the ſame complaint, telling them of the ceremonies of the *Incenſe* and

A difference about precedence.

1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

the *Pax*. The Legats answered there would be two *Censers* and two *Paxes*; wherewith the French were not satisfied, and said plainly, that they would be maintained, not in paritie, but in precedence, and would protest against euery innouation, and depart from the Councell. These goings and commings continued vntill the end of the Gospel, so that the Epistle and Gospell were not heard, by reason of the great whisperings. The Theologue beeing gone into the Pulpit to preach, the Legats, with the Cardinals, Ambassadors of the Emperor, and *de Ferrieres*, one of the French, retired into the Vestry, where this matter was handled, and the Sermon was ended before any thing was concluded. In the midst of the *Credo* a silence was made, and *Madruccio*, with *Fiue Churches*, and the Ambassadour of *Polonia*, came out to speake with the Count of *Luna*, and to pray him in the name of the Legates, that, for that time, he would bee content, that neither *Incense*, nor the *Paxe* should bee giuen to any, to hinder this sudden tumult, which might cause some great euill, promising, that, at any other time when he requested, they would execute the order of his Holinesse of two *Censers* and two *Paxes* at once, which being considered on before hand, both hee and they, and all might be able to resolue how to gouerne themselues with wisedome. After long discourse, they returned with this resolution, that the Count was content. So they all came out of the Vestry, and went to their places, and the Masse proceeded without *Incense* or *Paxe*. And as soone as these words were said; *Ite, missa est*, the Count of *Luna*, who, in the Congregations, was wont to goe out last, did goe then before the Crosse, followed with a great part of the Spanish Prelats, and *Italians*, subiect to his King. Afterwards the Legat, Ambassadours, and residue of the Prelats departed also, after the vsuall manner.

The Legats, to bee freed from the imputation layd vpon them for this secret, and almost fraudulent proceeding, in a matter of so great weight, were faine to publish the expresse orders, receiued from *Rome*, to doe so in that time, in that maner, and without participation of any. *De Ferrieres* said publiquely, that but for the respect hee bare to the worship of God, hee would haue protested, as he had in commission from his King, which he would doe hereafter, in case the vsuall ceremonies of *incense* and *pax* were not restored, and giuen them in their due place. The Cardinall of *Loraine* also wrote a sharpe letter to the Pope, declaring the wrong that should haue been done them, and said modestly, that his Holinesse had made him bee told that hee trusted so much in him, that hee would that all the affaires of the Councell should be communicated vnto him; whereof, though he saw none effect, yet he did not complaine; but he was troubled that he had commanded the Legats not to impart vnto him their owne proper affaires, and especially, that, in which he might haue done more good then another, adding, that more mischiefe had ensued, but for his meditation. Hee said moreouer, that the blame of all was imputed to his Holinesse, and praied him that he would not be the author and cause of so great an euill. He sent *Musottus* vnto him also, by post, to informe him more particularly of the resolution of the French Ambassadours, and of the imminent danger. The Count of *Luna* complained of the stiffenesse of the French Ambassadours, and magnified his owne

great

great patience, and modestie, and desired the Legats, that the next Sunday he might be admitted to equall place, and ceremonies, according to the Popes order. Some thought it was a stratagem of the Pope to dissolue the Councell: and the Papalins, called *Ambrosij*, said, that, if they must come to a dissolution, they desired it should rather happen for the controuersie about the words of the Councell of *Florence, That the Pope is Rector of the Church vniuersall*, thinking it would be more easie to iustifie his Holinesse in that, and to lay all the blame vpon the French-men. 1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The next morning, the last of Iune, the Count hauing assembled the Spanish Prelats, and many Italians, told them, that the day before he went into the Chappell, not to giue occasion of any disturbance, but to keep the right of his King, and make vse of the Popes order; that since he had vnderstood, that, in case he should returne to the Chappel againe, the French-men would protest: which if they should do, hee must not faile to answere them, in the same manner and termes that they should vse, as in regard of his Holinesse, so also in the behalfe of the Maiestie of his King. The Prelats answered, that, if it came to this, they would be ready to doe his Holinesse seruice, and not faile to hold esteeme of his Catholike Maiesty as farre as did concerne them. The Count prayed them againe to consider well of all which might happen in such a case, saying, that himselfe would come prepared also. And knowing that the French-men could take but three courses, either against the Legats, or against the King, or against him the Ambassadour, he meant to bee prouided of an answere for all. All the Ambassadours of other Princes perswaded the Legats to find a temper, that so great disorder might not happen: who answering, that they must needes execute the Popes command, which was precise, and without any reseruation, and the rather because they had promised the Count to doe it whensoeuer he would request it, the Cardinall of *Loraine* protested to them, that, in case they did so, hee would goe into the pulpit, and shew of what importance the matter was, and what a ruine it would bring to all Christendome, and with the crucifixe in hand, would cry, *Misericordia*, perswading the Fathers and people to goe out of the Church, that they might not see so fearefull a schisme, and crying, *Hee that desires the welfare of Christendome, let him follow me*, would depart out of the Church, hoping hee should be followed by euery one. The Legats, mooued herewith, perswaded the Count to be content that no Chappell should be holde the next Sunday, nor any procession made, according to the vse; and sent the Pope aduise of all.

The preiudice and innouation came, as making himselfe a partie, and giuing

Continuall congregations were holde in the house of the French and Spanish Ambassadours. The Spaniard sometimes gaue hope hee would be content, and sometimes made instance to goe to Church, to execute the Popes order for the *Incense* and *Pax*. And the French Ambassadours were resolued to protest, and depart, and said openly, that they would not protest against the Legats, being but meere executors, nor against the King of *Spaine*, or the Count his Ambassadour, in regard they did prosecute their cause, nor against the Apostolike *Sea*, which they would alwayes honor, following the steps of their predecessours, but against the person of the Pope, from whom

cause

1563 cause of schisme, and for another cause also, appealing vnto the future Pope, lawfully elected, and to a true and lawfull Councell, threatning to depart, and to celebrate a Nationall. The Prelats, and other Frenchmen apart, did commonly say to euery one, that the Ambassadors had protestations against the person of the Bishop, who caried himself for Pope, being not lawfull, because there was a nullitie in the election for simonie, intimating particularly the obligation which Cardinall *Caraffa* had from the Duke of *Florence*, with promise of a certaine summe of money, which that Cardinall sent afterwards to the Catholique King, pretending it could not be made, but by consent of the Pope before his assumption, as also another obligation made by the Popes owne hand, then Cardinall in the *Conclaue*, to the Cardinall of *Naples*, whereof mention hath bin made before. And the President *de Ferrieres* prepared a very sharpe Oration in *Latine*, and a protestation: which howsoeuer it was not made, yet it was printed, and was shewed by the Frenchmen, and is still to be seene in print, as if it had beene recited; to relate the substance whereof, is not besides our present purpose, that it may be seene, not what the French said only, but what opinion they brought to the Councel.

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The Frenchmen make a question whether the Pope were lawfully elected.

The protestation.

He said in substance, That that Councel hauing bin called by meanes of *Francis* and *Charles*, brothers, French Kings, they, the French Kings Ambassadors, were sory they should be forced to depart, or consent to the diminution of the Kings dignitie; that the prerogatiue of the French King was knowen to whosoeuer hath read the Popes Law, and the Histories of the Romane Church; as also those who haue read the volumes of the Councels must needs know what place themselues ought to holde; that the Ambassadours of the Catholique King, in former generall Councels, haue followed the Ambassadours of the most Christian; that now the mutation was made, not by the Fathers, who, if they had bene in liberrie, would not haue depriued any Prince of his possession, nor by the Catholique King, so neerely allied in amitie and kinred with their King, but by the Father of all Christians, who, in stead of bread, hath giuen his eldest sonne a stone, and for fish, a serpent, to wound, with one sting, the King and the French Church together; that *Pius* 4. doeth sow seedes of discord, to disturbe the peace of Kings who are in amitie, changing, by force and iniustice, the order of sitting, alwayes vsed by the Ambassadours, and lastly in the Councels of *Constance* and the *Lateran*, to shew that he is aboue Councels; that he can neither disturbe the amity of the Kings, nor alter the doctrine of the Councels of *Constance* and *Basil*; that the Councell is aboue the Pope; that Saint *Peter* had learned to abstaine from worldly matters, whereas this his successor, and not imitator, did pretend to giue and to take honours from Kings; that, by the diuine, Nationall, and ciuill Law, account was holde of the eldest sonne, both in the life time, and after the death of the father; but *Pius* doeth refuse to preferre the eldest King before those who were borne long after him; that GOD, in respect of *David*, would not diminish the dignitie of *Salomon*, and *Pius* the fourth, without respect of the merits of *Pipin*, *Charles*, *Lewis*, and of other Kings of *France*, doeth pretend, with his decree, to take away the prerogatiues of the successors of those Kings; that, against the Lawes of GOD and man, without any knowledge of the cause, hee hath condemned the King, taken his

most

most ancient possession from him, and pronounced against the cause of a pupil, and widow; that the ancient Popes, when a generall Synod was celebrated, haue neuer done any thing, without approbation thereof, and *Pius* hath, without that Councell, which representeth the Church vniuersall, taken away the possession of the *Orators* of a King, a pupill, not cited, sent not to him, but to the Synod; that, to the end prouision might not be made against it, he hath vsed diligence to conceale his decree, commanding the Legats, vpon paine of excommunication, to keepe it secret; that the Fathers should consider whether these be the facts of *Peter*, and other Popes, and whether they the Ambassadours are not forced to depart from the place where *Pius* hath left no place for Lawes, nor so much as any print of liberty of the Councell, in regard nothing is proposed to the Fathers, or published, if it be not first sent from *Rome*; that they did protest onely against that *Pius* the fourth, adoring the Apostolike *Sea*, and the Pope, and the Church of *Rome*, refusing onely to obey this man, and to esteeme him the Vicar of CHRIST; that they will alwayes haue in great veneration the Fathers; but, seeing that whatsoeuer is done, is not done in *Trent*, but in *Rome*, and that the Decrees published, are rather of *Pius* the fourth, then of the Councell of *Trent*, they will not receiue them for Decrees of a generall Synod. In conclusion, he commanded the Prelats and Diuines, in the Kings name, to depart, and to returne when GOD should restore the due forme and liberty to generall Councels, and the King receiue his due place. 1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

But there was no occasion to protest. For the Count considered finally, that, howsoeuer the Spanish partie was greater, in number of Prelats, then the French, yet, because the dependants of the Pope, who at the first were on this side, when they vnderstood the will of his Holines, would now, knowing that a dispatch was made to *Rome* for this cause, thinke fit hee should desist vntill the answere and the new order came, and therefore ioyne with the French, his side would proue to be the weaker. Therefore inclining to a composition, and all the other Ambassadours, and the Cardinall *Madrucio* interposing, after many difficulties, they agreed that neither *Incensa* nor the *Pax* should be giuen in the publique ceremonies, vntill the answere of the King of *Spaine* did come. This accord displeased the Popes dependants, who would haue beene glad of that occasion to interrupt the progresse of the Councell, as also those, who, being wearie of *Trent*, and not seeing how the Councell could either proceede or be ended, desired the interruption, as the lesser euill, that the discords might not increase. It is certaine that the Pope himselfe, receiuing aduice of this composition, did take it ill, in regard of the same feare, that the discords might not be made greater, and some euill ensue. And the Spanish ministers in *Italy* did all blame the Count, for letting slippe so fauourable an occasion for the seruice of the King.

This controuersie being composed, the Legats, intent vpon the celebration of the Session, because the time approached, consulted what might be done to remoone the differences. *Lorraine* proposed the omission of the two articles, that is, of the Institution of Bishops, and of the authority of the Pope, as things wherein the parties were too passionate, and, concerning Bishops to

How the difficulties in the points for the next Session were remooued.

say

1563
Pius 4.
Ferdinand.
Elizabeth
Charles 9.
Philip 2.

say nothing, but what concerneth the power of *Order*. To some of the Papalins this seemed a good remedie, but to others not; who said, that this would bee attributed to the Pope, as if the forme last composed did not please him, and the Princes would wonder, why his Holinesse should not rest content, hauing the same power giuen him, which Saint *Peter* had; which would haue giuen matter of discourse to the heretiques. Besides, the *Spaniards* would take occasion to haue little hope hereafter to agree together in any thing; whence infinite difficulties would arise in other matters also. Moreouer there might bee a doubt whether it could be effected, because it was probable that many of the Fathers would require, that those Articles should bee declared. The Cardinall of *Loraine* offered that the Frenchmen should not require it, and so to labour with the *Spaniards* that they also should bee content; adding, that, in case the Legats would doe the like with the *Italians*, who doe with too much passion oppose the others, all would be composed.

And very fitly order came from the Emperour to his Ambassadours, to vse all meanes that the authoritie of the Pope should not bee discussed in Councell; which his Maiestie did, because hee saw the *maior* part was inclined to enlarge it, and feared that some thing might bee determined, which might make his concord with the Protestants more difficult. The Ambassadours, hauing treated with the Legats in conformitie hereof, as also with *Loraine*, and other principall Prelates, did cause this Article to bee omitted, as also that other of the Institution of Bishops. But first they made many consultations about it, admitting vnto them the Prelates which were of greatest note, and had most followers, sometimes more, sometimes fewer, that they might so dispose of matters, as that all might rest contented; and the Decrees of the prouisions made against the abuses were giuen forth. Concerning the first point, which was of the election of Bishops, the Ambassadors of *Spaine* and *Portugal* did sharpely oppose this particular, that the Metropolitans should examine the persons promoted to Bishoprikes (whereof much hath beene saide before) saying, that this was to subiect the Kings to the Prelats their subiects, because authoritie was indirectly giuen them, to reiect the Kings nominations. The French Ambassadors being demanded what their opinion was, made shew they did not care whether it were decreed or not. Whereupon the Popish Prelates, who thought it a diminution to the Popes authoritie, said, that all that point might bee omitted: especially, because, in the fift Session, sufficient prouision was made in that matter. But others opposing hotely, a conclusion was made by common consent, that it should bee deferred vntill the next Session, that they might haue time so to dispose it, as that it might please all, least the publication of the things agreed on should be crossed, in regard of this.

There was the same difficultie about the last of the Articles proposed, in which a forme of confession of faith was prescribed, to be sworne, by those who were designed to Bishoprikes, Abbies, and other Benefices with cure, before their examination; which did so cohere with that of the election, as that they could not be separated. It was resolued to deferre this Article also. But because it was deferred, and then resolued not to bee decreed, and afterwards,

wards, in a tumultuous manner, referred to the Pope; as ſhall be ſaid in due place, it is not aliene from our preſent purpoſe to recite heere the ſubſtance of it. Which was, that not onely it ſhould bee required of them who were deſigned to Biſhoprikes, and other cures of ſoules, but alſo an admonition and precept, in vertue of obedience, made to all Princes of what Maieſtie or Excellencie ſoeuer, not to admit to any dignitie, magiſtracie, or office, any perſon, before they haue made inquiſition of his Faith and Religion, and before hee hath voluntarily confeſſed and ſworne the Articles, contained in that forme; which, to that end, it did command to bee tranſlated into the vulgar tongue, and publikely read euery Sunday, in all the Churches, that it might bee vnderſtood by all. The Articles were. To receiue the Scriptures of both Teſtaments, which the Church doth hold to be canonicall, as inſpired by God. To acknowledge the holy Catholike Apoſtolike Church, vnder one Biſhop of *Rome*, *Vicar* of CHRIST, holding conſtantly the faith and doctrine thereof, in regard, being directed by the holy Ghoſt, it cannot erre. To haue in veneration the authoritie of Councels, as certaine and vndoubted, and not to doubt of the things once determined by them. To beleeue, with a conſtant faith, the Eccleſiaſticall traditions, receiued from one to another. To follow the opinion and conſent of the Orthodoxe Fathers. To render abſolute obedience to the conſtitutions and precepts of the holy mother the Church. To beleeue, and confeſſe the ſeuen Sacraments, and their vſe, vertue, and fruit, as the Church hath taught vntill this time, but aboue all, that in the Sacrament of the Altar there is the true bodie and blood of CHRIST, really and ſubſtantially, vnder the Bread and Wine, by the vertue and power of the word of God, vttered by the Prieſt, the onely miniſter ordained to this purpoſe, by the inſtitution of CHRIST; confeſſing alſo that hee is offered in the *Maſſe* to God, for the liuing and the dead, for the remiſſion of ſinnes. And finally to receiue and retaine moſt firmely all things which haue beene, vntill this time, piouſly and religiouſly obſerued by their anceſtors, nor to bee remooued from them by any meanes, but to auoide all nouitie of doctrine, as a moſt pernicious poyſon, flying all ſchiſme, deteſting all hereſie, and promiſing to aſſiſt the Church readily and faithfully, againſt all heretikes. 1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

It being (as hath beene ſaid) reſolued to omit this matter, they laboured to rectifie the matter of reſidence, by taking away whatſoeuer might diſpleaſe thoſe who held it to be, *de iure Diuino*, or thoſe who thought it to bee, *de iure Poſitiuo*. *Loraine* vſed all effectuall diligence to make the parties agree, reſoluing, that, by all meanes, the Seſſion ſhould be helde at the time appointed. For hauing receiued lately very louing letters from the Pope, to inuite him to come to *Rome*, and ſpeake with him, and determining to giue his Holineſſe all ſatisfaction, his reſolution was to giue him this, as an earneſt, that is, to ende the diſcords, and compoſe the differences betweene the Prelates; a thing much deſired by him. For his going to *Rome*, hee ſpake ambiguouſly, meaning to expect an anſwere from *France*. Another matter, though of no great importance, did prolong the progreſſe; that is, the handling of the functions of *Orders*, of which a great long Article was propoſed, wherein all were expounded, from the office of a Deacon, to the office of a

1563 doore keeper. This was composed in the beginning by the Deputies, when the Decrees were made, as necessarie to oppose against the Protestants, who say those *Orders* were not instituted by CHRIST, but by Ecclesiasticall introduction, because there is vse of them, as being offices of good and orderly gouernement, but not Sacraments. This Article of the Decree was taken out of the *Pontificall*, which would be two long and superfluous to repeat, in regard it may be read in the booke it selfe. And the Decree did declare besides, that those functions cannot bee exercised but by him, who, being promoted by the Bishop hath receiued grace from God, and a *Character* imprinted, to make him able to doe it. But when it came to bee established, they were troubled to resolue an olde common obiection, what neede there could bee of a *Character*, and spirituall grace, to exercise corporall Actes, as to reade, light candles, ring bells, which may bee as well or better done by those who are not ordained; especially since it hath beene disused, that men ordained should exercise those functions. It was considered, that the Church was condemned hereby for omitting this vse, so many yeeres. And there was a difficultie how to restore the practise of them. For they must ordaine, not children, but men of age to shut the Church doores, to ring the bells, to dispossesse the possessed with deuils: which if they did, they did crosse another Decree, that the inferiour orders should be a necessarie degree to the greater. Neither did they see how they could restore the three offices to the Deaconship, to minister at the Altar, to Baptize, and to preach; nor how the office of the Exorcists could bee exercised, in regard of the vse brought in, that the Priests onely did dispossesse the possessed. *Antonius Augustinus*, Bishop of *Lerida*, would haue had that whole matter omitted, saying, that, howsoeuer it was certaine that these were *Orders*, and Sacraments, yet it would bee hard to perswade that they were brought in in the Primitiue Church, when there were but few Christians; that it was not for the Synods dignitie, to descend to so many particulars; that it was sufficient to say, there are foure inferiour *Orders*, without descending to any further specialitie of doctrine, or making any innouation in the practise. Opposition was made, that so the doctrine of the Protestants, who call them idle Ceremonies, would not be condemned. But *Loraine* was Authour of a middle course, that the Article should be omitted, and in few words the execution referred to the Bishop, who should cause them to be obserued, as much as was possible.

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The functions of the inferiour *Orders*.

These things being setled, they resolued to reade all in the consultation of those principall Prelates, that all things might passe in the generall Congregation with absolute quiet. Both parties were agreed, but onely in the sixth *Anathematisme*, that is, that the *Hierarchie* is instituted by Diuine ordination. The Arch bishop of *Otranto*, and other Popish Prelates suspected, that, by such generall wordes, signifying that all holy *Orders*, without making difference, are by ordination of CHRIST, it might be inferred, that Bishops are equall to the Pope. But the Popish Diuines and Canonists did perswade them not to make difficultie, because it was manifest, by the Canons precedent, and subsequent, that nothing was spoken of but *Order*, in which the Pope doth not exceede the Bishops, and no mention made of Iurisdiction.

The same men suspected also the *Proheme* of the Article of Residence, where it was sayd, that those who haue cure of soules are bound, by Gods commaund, to knowe their sheepe, &c. inferring, that in was, in some sort, declared that Residence was by the commandement of God. But the greater part of the Papalins were of the contrary opinion; saying, that all those particulars which are said to be commanded by God, to him who hath charge of soules, may be obserued in absence, though not so well as in presence, and that the words following doe prouide against all preiudice to his *Beatitude*. They said moreouer, that it hauing bin composed by the Cardinal of *Mantua*, and often consulted on, this doubt was neuer made, and that at *Rome* likewise they did not thinke it preiudiciall. But *Otranto* and his followers could not possibly bee remoued from their opinion. 1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

Some of the *Spaniards* were very earnest for the declaration, that the Institution of Bishops, and Residence are *de iure diuino*: but were forced to desist, because the *maior* part of their Colleagues were dissuaded by *Lorraine*, who vsed tearmes of conscience, saying it was not good, nor acceptable to GOD, when the good desired could not bee effected, to cause duill by a superfluous and vaine instance; that it was sufficient to hinder the preiudice which some thought to haue done the trueth, by establishing contrary opinions, and that if all could not bee now obtained which was desired, some thing might bee hoped for hereafter, by the assistance of GOD. But *Granata*, *Segouia*, and some others could not bee remooued by any meanes; and on the other side, it was not possible to make quiet the Patriarke of *Ierusalem*, or the Archbishop of *Otranto*, and their adherents, who resolued to crosse all that was proposed, as not seruing to remoue the differences, but onely to couer them, beeing assured, that, in the progresse, they would returne with greater force, and thinking it better, in case they must needes breake, to doe it before the Session then after. Neither were the Legates able to perswade them.

Notwithstanding these two contradictions, matters were established with the other principall Prelats, and the ninth of July the generall Congregations began; in which all that belongeth to the doctrine and Canons of *Order* being first read, the Cardinall of *Lorraine* gaue an example of speaking briefly, and making no difficultie: and was imitated by others, vntill it came to *Granata*, to speake, who said, it was an indignitie, that the Fathers should bee thus derided, handling the foundation of the Institution of Bishops so long, and now omitting it, requiring the declaration, *de iure diuino*, and wondring why a point so true and infallible, should not bee declared. He added that all bookes which say the contrary ought to be condemned as hereticall. *Segouia* adhered to him, and said it was an expresse trueth, which could not be denied, and that it ought to be declared, to condemne the heretiques who defend the contrary. *Guadice*, *Aliffe*, *Monte-Marano*, and some other Spanish Prelates followed: some of which said, that their opinion was as true as the precepts of the decalogue. The Bishop of *Conimbria* did complaine publiquely, that the trueth was circumuented by craft, that is by ordaining titular Bishops. For this he shew that iurisdiction was not essentiall to a Bishopricke, not receiued immediatly from CHRIST. And

The Spanish Prelates are constant in their opinion concerning the institution of Bishops.

1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

hee required a declaration to the contrarie, repeating the conceipt often vsed, that a Church and faithfull subiects were as essentiall to a Bishop, as a wife to an husband. The Decree of Residence being proposed afterwards, *Loraine* did approoue it, with the same breuitie, onely hee aduised, that where the causes of absence are expressed, amongst which is vtility of the Church, vtility of the Common-wealth should bee added also, to remooue all impediment which that Decree might bring to the admission of Prelates to offices and publique Councels; wherein hee had a generall applause. *Madruccio*, who followed, spake in the same manner. The Patriarke of *Ierusalem*, and the Archbishops *Verallo*, and *Otranto* refused to deliuer their opinions concerning that Decree: whereof the Archbishop *Braga*, when his turne was to speake, complained, and turning to the Legates, told them, after a reprehending manner, that they ought to vse their authoritie, and to force the Prelates to speake their opinions, and that it was a bad example in Councell, as if they were compelled to bee silent, or had an ambition not to speake but when they had followers. Whereupon others, who resolued to imitate them, changed their purpose, and consented to the Decree. The other Decrees were approoued as they were read, but onely that *Granata* made instance that Residence might be declared to bee *de iure diuino* in plaine words, because (hee sayd) the ambiguous words of the Proheme were vnworthy of the Councell, which was assembled to take away, and not to increase the difficulties, that bookes maintaining the contrary should bee prohibited, and that Cardinals should expresly and namely bee comprehended in the Decree. This last concerning Cardinals, did seeme to please many. Whereupon *Morone* answered, that consideration should bee had of it, and that it should be spoken of another time. They proceeded in the residue, and, in the end, the Patriarke and the two Archbishops consented also to the Decree; which was the first thing to make them hope that the Session could be celebrated at the time appointed, a thing thought impossible, but effected by the dexterity of the Cardinall of *Loraine*.

The dayes following the Fathers gaue their voices concerning the other Articles of reformation. In which there was no difference of moment, but onely, that, at the great instance of *Pompeius Zambeccari*, Bishop of *Sulmona*, one particle was remooued out of the Article of the first *Censure*; in which it was said, that, if the promoted shall committe any delict within sixe moneths after the ordination, the ordination shall bee presumed to bee fraudulent, and the ordained shall not enioy the priuiledge of the Court; and whereas it is decreed that none should bee ordained before hee was appropriated to some Church, the innouation of the Decrees made by the *Lateran* Councell was added, that those also who were ordained to the title of the Patrimonie should be applied to the seruice of some Church, in which they should actually exercise themselues, or otherwise should not bee partakers of the priuiledges. This last was taken away also: and for the residue, with a small variation of words, and those not belonging to the substance, satisfaction was giuen to all the Fathers.

The Spaniards, who could not obtaine in Congregation the declaration for the institution of Bishops as they desired, did, the thirteenth day at night,

assemble

assemble in the house of the Count of *Luna*; where *Granata*, and his adherents, perswaded him to protest to the Legates, in case the determination of that point should bee omitted; but others disswaded it, as a thing which might raise a great commotion. The whole Congregation was spent in disputes, and ended in contention, deferring the resolution vntill the next morning. When the Count, hearing againe the diuersitie of opinions, and considering that it would much displease the Pope, all the Italian Bishops, and all the French-men, who had reformed their opinions, prayed *Granata* to thinke as others did, in regard it was not a matter of conscience, because the question was not in what manner it should bee defined, but whether it should bee defined, or omitted. *Granata* not changing, but saying that hee thought in his conscience the determination was necessary, hee desired him that hee would speake his opinion quietly, and freely, and content himselfe if it were not embraced by others, and abstaine from contentions; which both he and the others promised to doe.

1563.
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

The next day, which was the next before the Session, a generall congregation was held, in which *Morone* did propose; whether the Fathers were pleased that, in the Articles of Residence, and of the age of those who are to be ordayned, mention should bee made of Cardinals, and particularly of the age. Few did consent, and most of them did discourse that there is no cause to make any Cardinals vnder age, except Princes, in whom age is not considerable, because they doe honour the Clergy, of what age soeuer they bee; and that it was to no purpose to make a Decree where there was no abuse. But in the particular of the residence, the greater part was of opinion they should bee named. But some contradicted, because it would bee an approbation that Cardinals might haue Bishopriques, and, by consequence, *Commendaes*; which was not fit to doe, but to leaue them to their conscience, which must needes tell them that they are not exempt from the generall precept, rather then by naming them, to approoue two abuses at once, plurality of Benefices, and *Commendaes*. Afterwards some other particulars of small weight beeing handled and concluded, all which was to bee published in Session was read againe, the Prelates giuing their opinions onely with the word, *placet*. Some Spaniards and Italians, in number twenty eight, answered negatiuely, and the others, being 192. did consent; and in the end *Morone* concluded, that the Session should be held. He thanked the Fathers for accepting the Decrees, and exhorted the others to ioine with them, and prayed the Count of *Luna* to perswade his Prelats, that, seeing the vniuersall consent of all the Councel in one opinion, they would not dissent. Whereof speaking with him more particularly, after the congregation, he promised, that, whensoeuer the Popes authority should bee declared, according to the forme of the Councel of *Florence*, the institution of Bishops should bee declared also to bee *de iure diuino*. The Spanish Prelats beeing assembled that day at night, in the house of the Count, after many discourses, grounding themselues vpon the Cardinalles promise, were content to accept all things.

The fifteenth of Iulie being come, they went all to Church early in the morning with the vsuall order, where the accustomed ceremonies were vsed. The Session.

1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

sed. The Bishop of *Paris* sang *Masse*, and the Bishop of *Aliffe* preached, and did offend the French-men, by naming the King of *Spaine* before their King; as also the *Polonians*, by naming *Portugal* before *Polonia*; and the *Venetians*, by mentioning the Duke of *Sauoy* before their *Republique*. He seemed to say also, that the celebration of the Councel, was a continuation with the precedent of *Paul* and *Iulius*; wherein the Imperialists and French-men had ill satisfaction. He spake also of the faith and manners of the heretiques and catholiques; and said, that as the faith of the Catholiques was better, so the heretiques did exceed them in good life; which did giue much distast, especially to those who remembred the saying of our *Sauiour*, and of Saint *Iames*, that faith is not shewed but by workes. At that instant nothing was saide, for feare of troubling the ceremonies. But the next day, the *French* Ambassadours, the *Polonian* and the *Venetians*, desired the Legates that the Sermon might not be printed, nor put amongst the acts of the Councel. The *Masse*, and the other prayers being ended, the Briefes of the Legation of the Cardinals *Morone* and *Nauaggero* were read, as also the *Mandats* of the King of *Polonia*, of the Duke of *Sauoy*, the letter of the Queene of *Scotland*, and the *Mandate* of the Catholique King. Afterwards the Decrees of the doctrine of faith were read; in which there was no contradiction, but onely that the maior part of the Spaniards saide, they did consent vpon condition, that the Lords the Legats, should performe the promise made to the Ambassadour of their King.

The preacher offendeth many Ambassadours.

The Decree of faith did containe in substance. 1. The sacrifice and the priesthood, are vnited in each law; therefore there beeing a visible sacrifice in the new Testament, that is the *Eucharist*, it must be confessed necessarily, that there is a visible and externall *Priesthood*, in which power is giuen, by diuine institution, to consecrate, offer, and minister the *Eucharist*, and to remit and retaine sinnes. 2. Which *Priesthood* beeing diuine, must haue many *Orders* of Ministers to serue in it, which must ascend from lower to higher ministeries, because the Scripture maketh mention of the name of *Deacons*, and from the beginning of the Church the ministeries of *Subdeacons*, *Accolythites*, *Exorcists*, *Readers*, and *Ostiaries* were vsed, placing the subdeaconship amongst the greater *Orders*. 3. And because grace is conferred in the holy ordination, *Order* is truely and properly one of the seuen Sacraments of the Church. 4. In which a *Character* beeing imprinted, which cannot bee blotted out, the Synode doth condemne those who say that Priests haue *sacerdotal* power for a time, so that they may returne to the world, and not exercise the ministery of the word of God. And doth condemne those, who say all Christians are Priests, or haue equall spirituall power; which is nothing but to confound the Ecclesiasticall *Hierarchie*, which is in an order, as an armie of soldiers. To which *Hierarchical* order doe belong especially Bishops, who are superiour to Priests, to whom it appertaineth to administer the Sacrament of *Confirmation*, to ordaine Ministers, and to performe other functions. The Synode doth teach also, that, in the ordination of Bishops, Priests, and other degrees, the consent, vocation, or authority of the Magistate, or of any other secular power is not necessary; and that those, who, called onely, or instituted by the people, secular power or Magistrate,

The Decree of faith.

or by their owne temeritie, doe aſcend to Eccleſiaſticall Miniſteries, are not Miniſters, but theeues. 1563

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

This doctrine was attended with eight *Anathematiſmes*. 1. Againſt him that ſhall ſay, that there is no viſible Prieſthood in the new Teſtament, nor any power to conſecrate and offer, and remit ſinnes, but onely an Office, or naked Miniſtery to preach the Goſpel, and that thoſe who doe not preach are not Prieſts. 2. Or that, beſides *Prieſthood*, there are not greater *Orders*, and leſſe, which are degrees to aſcend to *Prieſthood*. 3. Or that holy ordination is not a Sacrament, but an humane inuention, or onely a certaine Rite, to elect Miniſters of the word of God, and of the Sacraments. 4. Or that the holy Ghoſt is not giuen by the holy Ordination, nor any *Character* imprinted, or that a Prieſt may returne to be a *Laique*. 5 Or that the holy Vnction, or other Ceremonies, which the Church vſeth, are not requiſite, but may be omitted, or are pernicious. 6. Or that there is not an *Hierarchie* inſtituted in the Catholique Church, by diuine Ordination, conſiſting of Biſhops, Prieſts, and Miniſters. 7 Or that Biſhops are not Superiours to Prieſts, or haue not power to confirme and ordaine, or that Prieſts alſo haue the ſame power, or that *Orders* conferred without the conſent or vocation of the people, or ſecular power, are void, or that they may be lawfull Miniſters of the word of God and Sacraments, who are not lawfully ordained by the Eccleſiaſticall power. 8. Or that Biſhops aſſumed by authoritie of the Pope, are not lawfull and true, but that it is an humane inuention. The ſame Anathematiſmes.

Afterwards the decree of Reformation was read; which contained eighteene heads. The firſt concerning the matter of reſidence, ſo much diſputed on; in which it was ſaid, that euery one, who hath cure of ſoules, is bound, by the Commandement of God, to know his ſheepe, to offer Sacrifice for them, to feed them with preaching, Sacraments, and good examples, and to attend other Paſtorall charges; which things becauſe they cannot be performed by him who doth not aſſiſt and watch ouer the flocke, the Synode doth admoniſh them to feed and gouerne, with iudgement and truth. But that none by a badde interpretation of the Conſtitutions, made vnder Paul the thirde in this matter, may thinke the abſence of fiue Moneths lawfull, it doth declare, that whoſoeuer hath Biſhoprikes, in what title ſoeuer, though Cardinals, are bound to reſide perſonally, nor may bee abſent, but when Chriſtian charitie, vrgent neceſſitie, due obedience, or vtilitie of Church or Common-wealth doth require; as alſo that ſuch cauſes of abſence muſt bee approoued for lawfull, by the Pope, or Metropolitan, except they be notorious or ſudden, in which caſe the Prouinciall Councels muſt take knowledge, and iudge of the licences graunted, that there may be no abuſe therein, the Prelates prouiding that the people may not be damnified in their abſence. And becauſe a ſhort abſence deſerueth not this name, though without any of the cauſes aforeſaid, it doth declare, that this ſhall not exceede the ſpace of two moneths, or three at the moſt, whether it be continuate or at diuers times, ſo that there be equitie of reaſon in it, and without the dammage of the flocke; which muſt be referred to the conſciences of the Prelates; admoniſhing euery one not to abſent on Sundayes in *Aduent*, *Lent*, Feaſts of the *Natiuitie*, *Reſurrection*, *Penteco ſt*, or *Corpus* The Decree of Reformation.

1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

Corpus Christi. Which decree hee that shall violate, besides the penalties imposed vpon *Non-residents* vnder *Paul* the third, and mortall sinne, may not, with a good conscience, enioy the Fruits for that proportion of time; decreeing the same concerning all those that haue charge of soules, who, being absent with leaue of the Bishop, must substitute a sufficient Vicar, approoued by the Bishop, allowing a conuenient stipend; and doeth ordaine that this decree, together with the other vnder *Paul* the third, shall be published in the Prouinciall and Diocesan Councels.

The second Article of the Decree concerning *Order*, was. That whosoeuer doeth holde a Bishopricke, in what title soeuer, though a Cardinall, not receiuing consecration within three moneths, shall lose the Fruits, and, deferring three moneths more, shall lose the Benefice, and that the consecration, if it bee not in the Court of *Rome*, shall be celebrated in the proper Church, or in the Prouince at the least, if there be opportunitie. The third, That Bishops shall celebrate the ordinations in their owne person, and, in case they be sicke, shall not send their subiects to be ordained by other Bishops, before they be examined and approoued by themselues. The fourth, That the first *tonsure* shall not be giuen but to him that is confirmed, and hath learned the principles of Faith, to reade and write, and hath chosen a Clericall life to serue GOD, not to auoide the secular iudgement. The fifth, He that is to be promoted to the inferiour *Orders* shall haue testimonie from the Parish Priest, and Schoolemaster, and charge shall be giuen by the Bishop, that his name may be proposed publikely in Church, and inquisition made of his birth, age, maners, and life. The sixth, That none shall haue an Ecclesiasticall Benefice before the age of fourteene yeeres, nor enioy the exemption of the tribunall, if he haue not an Ecclesiasticall Benefice, or, wearing the habite and *tonsure*, doeth not serue in some Church, by commission from the Bishop, or dwell in a Seminarie, or Schoole, or Vniuersitie, with licence of the Bishop. And, for married Clerkes, the constitution of *Boniface* the eight shall be obserued, with condition likewise that they shall serue in the Church, in habit and *tonsure*, by deputation of the Bishop. The seuenth, That when an ordination is to be made, all shall be called to the Citie, the Wednesday before, and diligent inquisition and examination of them made by the Bishop, with the assistance of whom he pleaseth. The 8. Ordinations shall not be celebrated but in times appointed by the law, in the cathedral Church, in presence of the Canons: and if occasion be to make it in another place of the Diocesse, it shall be in the most worthy Church, in presence of the Clergie. Euery one shall be ordained by his owne Bishop, or, if any be ordained by another, he shall haue letters testimoniall of his owne. The ninth, A Bishop shall not ordaine one of his family that is not his subiect, if he haue not dwelt with him three yeeres, and, in that case, shall presently conferre a Benefice vpon him. The tenth, No Abbat, or other Prelat, shall conferre the first *tonsure*, or the *minor Orders*, but vnto Regulars, their subiects; nor these, or other Prelats, Colledges, or Chapters, shall grant dimissorie letters to secular Clerkes, to receiue *Orders*. The eleuenth, That the minor *Orders* shall be conferred vpon him that vnderstandeth the *Latine* tongue, and with interposition of time betweene one *Order* and another; and these being degrees

grees vnto others; none shall be ordained if there be not hope that hee may be worthy of holy orders; and from the last of the minor *Orders* vntill the *Subdeaconship*, there shall be the interposition of a yeere, if the Bishop shall not iudge otherwise, for the good of the Church. The twelfth, None shall be ordained *Subdeacon* before the age of two and twentie yeeres, *Deacon* before three and twentie, *Priest* before sixe and twentie. Neither shall the Regulars haue any exemption herein. The thirteenth, *Subdeacons*, and *Deacons* shall be first prooued in the minor *Orders*, shall haue hope to liue continently, shall serue the Church to which they are ascribed, and shall thinke it very conuenient to receiue the Communion on Sundayes, and solemne Feasts, when they serue at the Altar. *Subdeacons* shall not passe to a higher degree, vntill they be exercised one yeere in their owne; but two holy degrees shall not be giuen in one day, by vertue of any priuiledge whatsoeuer. The fourteenth, None shall be ordained a Priest but a Deacon, which hath beene exercised in that ministerie, a whole yeere at the least, and found sufficient to teach the people, and administer the Sacraments: and the Bishop shall take care that they celebrate the *Masse* euery Sunday, and holy-day, and, in case they haue cure of soules, they shall satisfie their charge; and if any be ordained to the superiour *Orders*, before the inferiour, the Bishop may dispense, if there be a lawfull cause. The fifteenth, Howsoeuer Priests receiue power, in their ordination, to absolue from sinnes, yet none shall heare confessions, who haue not a Parochiall Benefice, or is not approoued by the Bishop. The sixteenth, None shall be ordained before he be ascribed to some particular Church, or pious place, to exercise the ministerie of that *Order*; and, if he abandon the place, without consent of the Bishop, the ministery shall be prohibited vnto him; and no strange Clerke shall be admitted to the exercise of the Ministerie, without the letters of his Ordinary. The seuenteenth, To bring againe into vse the functions of the *Orders* from a Deacon to an Ostiarie, which, being vsed from the time of the Apostles, haue beene intermitted in many places, that they may not be derided by the heretickes, as idle, these Ministeries shall not be exercised, but by those who haue receiued the *Orders* appertaining, and the Prelats shall reuiue those functions; and in case they haue not continent Clerkes for exercise of the minor *Orders*, they may take married men, so that they haue not beene twice married, and be in other respects apt for that exercise.

1563

Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

The last article was for the institution of *Seminaries*; in which it was constituted, that euery Episcopall Church should haue a certaine number of boyes, brought vp in a Colledge, neere the Church, or in another conuenient place; the boyes shall be twelue yeeres olde at the least, legitimate, and distributed into formes, by the Bishop, according to their number, age, and progresse in Ecclesiasticall discipline. They shall weare the habit, and *tonsure*, learne Grammar, Musicke, Ecclesiasticall computation, the holy Scripture, to reade the Homilies of the Fathers, know the *rites* and ceremonies of the Sacraments, and especially that which belongeth to hearing confessions. And to defray the charge thereof, where there is any reuenue deputed for education of children, it shall be applyed to this *Seminarie*, and, to supply that which remaineth, the Bishop, with foure of the Clergie, shall detract a portion

tion

1563 tion from all the Benefices of the Dioceſſe, and apply ſimple Benefices alſo to this vſe, and compell thoſe who haue Schoole-houſes, or other charge to reade or teach in the Schooles of the *Seminarie*, by themſelues, or by ſufficient ſubſtitutes; and Schoolemaſters places ſhall not be giuen hereafter, but vnto Doctors or Maſters in Diuinitie, or in the Canon law. And if, in any Prouince, the Churches be ſo poore, that a *Seminarie* cannot be erected in them, one, or more ſhall be appointed in the Prouince; and, in the Churches of the great Dioceſſe, the Biſhop ſhall erect one, or more if hee thinke fit, beſides that of the Citie, which notwithſtanding ſhall depend on that of the Citie.

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

In the end, the decree, intimating the next Seſſion for the ſixteenth of September, was read, expreſſing that then the Sacrament of Matrimony was to be handled, and other things pertaining to the doctrine of Faith, as alſo the prouiſions of Biſhoprickes, Dignities, and other Benefices, and diuers other articles of reformation. The Seſſion continued from nine vntill ſixteene a clocke, with great content of the Legats and Popiſh Prelates, that matters did paſſe ſo quietly, and with ſuch a generall conſent; And they commended the Cardinall of *Loraine* aboue all, confeſſing that he had beene the moſt principall cauſe of this benefit.

The cenſure of the acts of this Seſsion.

No acte of this Councell was ſeene with more deſire then this of this Seſſion, euery one being curious to know what that was which helde in contention ſo many Prelats in *Trent*, and all the Courts of Chriſtian Princes in buſineſſe ten moneths together. But it prooued to be according to the prouerbe, *the trauaile of mountaines, and the natiuitie of a mouſe*. No man could finde how it could deſerue not onely ſo great and long paines of ſo many great perſons, but euen the leaſt employment at all. And thoſe who vnderſtood Theologie, did deſire that it ſhould be once declared, what the Councell did vnderſtand by the power of retaining ſins, which was made one part of the Sacerdotall power; becauſe they had declared the ſence of the other, which was to remit ſinnes. And others wondered at the declaration, that the inferiour *Orders* are onely degrees vnto the ſuperiour, and all vnto Prieſthood, in regard it doeth appeare, in the ancient Eccleſiaſticall Storie, that thoſe who were ordained to any miniſterie or charge, were, for the moſt part, perpetually entertained in the ſame, and the aſcending to an higher degree happened very ſeldome, and was vſed onely in caſe of neceſſitie, or great vtilitie. None of the ſeuen Deacons, inſtituted by the *Apoſtles*, aſcended any higher; and in the ancient Church of *Rome* it ſelfe it doeth not appeare, that the Deacons, whoſe office was to heare the confeſſions of *Martyrs*, did paſſe to the title of Prieſthood. The ordination of Saint *Ambroſe* to be a Biſhop, of Saint *Hierome*, Saint *Auſtin*, and Saint *Paulinus* to be Prieſts, and of Saint *Gregory* the Great to be a Deacon is deſcribed, without mention of any paſſage by other degrees. They did not blame the vſe begun in later times, but they marueiled that they did alledge it as a thing alwayes vſed, whereas the contrary was manifeſt.

The Decree, that the miniſteries of the *Orders* from a *Deacon* to an *Oſtiary* ſhould not bee exerciſed, but by perſons promoted to thoſe proper *Orders*, made a faire ſhew; but it ſeemed a thing hard to bee obſerued, that in no

Church

Church, none might ring the bels, or open and shut the doores, but the ordinarie *Officiaries*, nor light the lamps, and candles; but the *Acolythes*, who were to exercise those manuall functions, that they might aspire to Priesthood. And it seemed some contradiction, to haue determined absolutely, that those ministeries should not be exercised but by persons ordained, and afterwards commanded the Prelats to restore them, as much as conueniently they could. For obseruing the absolute Decree, it is very necessary, that where persons ordained cannot be had for exercise of those functions, they must not be exercised at all: and if they may be exercised without *Orders*, in places where persons ordayned cannot be found, the absolute definition might haue beeter been omitted. In the Decree of the ordination of Priests, it was thought very conuenient to prescribe that condition, that they should be able to teach the people; but this did not seem very coherent with that other doctrine and vse, that cure of soules is not essentiall to Priesthood, so that to bee able to teach the people is not necessary to those Priests who meane neuer to take that cure vpon them. And to make it a necessary condition in the minor orders, to vnderstand the Latine tongue, was to shew that this was not a Generall Councel of all Christian Nations, in regard this Decree could not be vniuersall, and bind the Nations of *Affrica*, *Asia*, and of a great part of *Europe*, where the Latine tongue neuer had place.

1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The sixth *Anathematisme* was much noted in *Germany*; in which an Article of faith was made of *Hierarchie*, which word and signification thereof is aliene, not to say contrary to the holy Scriptures; and though it was somewhat anciently inuented, yet the authour is not knowen; and in case hee were, yet he is an Hyperbolicall writer, not imitated in the vse of that word, nor of others of his inuention, by any of the ancients: and following the stile of CHRIST our Lord, and of the holy *Apostles*, and Primitiue Church, it ought to be named not *Hierarchie*, but *Hierodiaconia*, or *Hierodoulia*. And *Peter Paul Vergerius* in *Valtelina* did make this and other obiections against the doctrine of the Councell the subiect of his Sermons, relating the contentions betweene the Bishops, and detracting as much as hee could, not onely by words, but by letters also to the other Protestant and Euangelicall Ministers, which they read in their Churches to the people. And howsoeuer the Bishop of *Como*, by order from the Pope, and the Cardinall *Morone*, vsed all meanes, and in a very extraordinary manner also, to cause him to depart out of that Countrey, yet they were not able to effect it.

Vergerius maketh obiections against the Councell.

Concerning the Decree of Residence, of which euery one discoursed, and expected some good resolution, because there was so much spoken and written of it, that nothing seemed to be more in voice then that, men marueiled that in the ende that was pronounced for a decision of the controuersie, which was plaine to euery one, that is, that not to reside was a sinne, except there were a lawfull cause: as if it were not euident vnto all by the law of Nature, that whosoeuer doeth absent himselfe from his charge, of what kind soeuer it be, without a lawfull cause, doeth sinne.

The successe of this Session tooke away the intelligence, held vntill then betweene *Loraine* and the *Spaniards*. For these complained that they were abandoned in the matter of the Institution of Bishops, and of Residence, in which

The Spanish Prelats complaine of the Cardinall of *Loraine*.

1563 Pius 4. Ferdinand. Elizabeth Charles 9. Philip 2.

which he had very often tolde them that he was of their opinion, and promised to labour effectually to cause that doctrine to be decreed without making any condition. They added that there was no hope he would be constant in any other promise, and that the Pope by making him beleeue hee should bee Legate of *France*, had wonne him. And other things they said, which were little for his honour. On the other side hee iustified himselfe, saying, that the offer was made vnto him to make his friends mistrust him, and that his answere was, that hee would not hearken vnto it, before a reformation were made in Councell. Notwithstanding it was not beleeued that hee would persuere in the same opinion, no not so much as in this matter.

The Legates, desirous to finish the Councell, did, so soone as the Session was done, vse meanes to facilitate the residue; which, for matter of faith, was *Indulgences*, inuocation of Saints, and Purgatorie. And to this end they elected tenne Diuines, two Generals of Friars, and two for euery Prince, that is for the Pope, *France*, (of which there were but a few remaining) *Spaine* and *Portugal*; charging them to consider how the Protestants opinion in this matter might briefly bee confuted. And themselues beeing resolued, meant to propose their owne opinions in generall Congregation, by which the Canons might be composed, at the same time when Matrimonie should bee handled, that they might quickly dispatch those matters, without hearing the disputes of the Diuines, as formerly they had done.

The reformation of Princes.

In matter of reformation they treated with the Cardinall of *Loraine*, the Emperours and Spanish Ambassadours, to bee content that the reformation of Princes might bee proposed also: who saying it was fit that abuses should bee remooued, wheresoeuer they were, the Articles were collected, and hope conceiued that all that remained might bee decided in one Session onely. But the Spanish Ambassador, for many respects of his King, did not like that haste, and therefore did crosse it, with many difficulties. First hee proposed, that it was necessarie, before the Councell ended, to vse meanes to bring the Protestants thither, alleadging that it would be labour in vaine, if the Decrees were not accepted by them, and that there was no hope they would accept them, if they were not present in Councell. The Legats answered that the Pope had done for his part whatsoeuer was fit, wrote letters, and sent expresse *Nuncij* to them all, so that nothing could bee done to make their contumacie more manifest. The Count answered, that hee did not desire it should be done in the name of his Holinesse, because that would not only not cause them to come, but make them more auerse, but in the name of the Councell, with conuenient promises, and intercession of the Emperour. Whereunto the Legats replying, that they would consider on it, they gaue an account thereof to the Pope, that he might vse meanes in *Spaine* to diuert such discourses, and to perswade the ending of the Councell. The Count desired also that the Diuines might speake publikely, according to the vse, concerning the particulars of *Indulgences*, and of the other matters, perswading the Prelats that the order might not be changed, nor the reputation of the Councell diminished, by omitting the examination of those things, which had more neede of it then any other.

The

The Pope was much troubled with these aduices, and the rather, because *Don Lewis d' Auila*, and *Vargas*, the Ambassador resident with him, had giuen their words, that the King would be content that the Councell should end. And calling them vnto him, he made a great complaint of the Counts proposition. For the Protestants, hee said that none did more desire to reduce them to the Church then hee; that the actions of his predecessors for fourtie yeeres, and his owne, by sending *Nuncij* expresly to them all, not regarding the indignitie to which hee did subiect himselfe and the Apostolike *Sea*, was a manifest argument thereof, that he had vsed the Emperors mediation, and the perswasion of all Catholike Princes; that hee is assured that the hardnesse of their heart is voluntarie, resolute, and obstinate; and therefore that the reducing of them was no more to be thought of, it beeing impossible, but the preseruation of the obedient; that so long as there was any hope to regaine them, the time did require that all meanes should be vsed to please them, but that beeing lost, it was necessarie to keepe the good, to make the diuision strong, and the parties irreconciliable; that the affaires of their King did require the same, as he would perceiue too late, in case he should temporize in *Flanders*, and vse termes of mediocritie; that the King should remember what good effects his seuere executions, at his entrance into *Spaine*, had produced, whereas if hee had proceeded remisly, and desired to gaine the fauour of the Protestants, hee would haue felt those accidents which are seene in *France*. He complained also that the Count would prescribe a manner of handling matters of Theologie, and determine when they should be well digested. And last of all hee tolde them of their promise, that the King was content that the Councell should end, which the Count did labour to hinder. The Ambassadors hauing excused the Count, and confessed what they had said concerning the Kings pleasure for the end of the Councell, the Pope was satisfied, so that they would be content he should say so much, where he thought it necessarie. Whereunto they consenting, hee gaue order to his *Nuncio* in *Spaine* to complaine to the King, and to tell him, that hee could not penetrate the cause, why the Ambassadours of his Maiestie in *Rome* and *Trent* should speake diuersly; and, which imported more, himselfe doing what he could to gratifie him, for what cause he should be crossed by his Ministers, in regard, the Councel continuing, he was hindered from doing his Maiestie many fauors and graces; that if for his affaires in *Flanders*, or for the interests of the Emperour in *Germanie*, he did desire any thing of the Councel, he might know by experience how hard it was to effect it in *Trent*; that they might promise themselues any thing from him, and that hee was resolute, so soone as the Councel was ended, to send into all Prouinces to prouide for the particular necessitie of euery one, whereas in *Trent* generall prouisions onely can bee made, which haue infinite difficulties, to bee fitted to euery place.

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

But the perswasions of the Count in *Trent* made a diuision of the Prelats, some desiring that those matters might be exactly disputed, and the rather, because very little or nothing was spoken of them by the Schoolemen, and whereas for other things handled in the Synode there were decisions either of other Councels, or of Popes, or a vniforme consent of Doctors, these

The Ambassador of Florence is received in congregation.

1563
Pivs 4.
Ferdinand.
Elizabeth
Charles 9.
Philip 2.

were wholly obscure, and, in case they were not cleered, it would bee saide that the Councell had failed in the most necessarie things. Others said, that that if there were so many difficulties, and contentions in the things decided already, how much more might they be feared, that in these which are full of obscuritie, where there is no sufficient light shewed by the Doctours, they might goe *in infinitum*, because they had a large field, in regard of many abuses which were crept into them for matter of gaine, and of the difficultie which would arise about the interpretation of the Bulls, especially of the words vsed in some, of penaltie, and guilt; as also of the maner of taking Indulgences for the dead. Therefore in these, and the adoration of Saints the vse only might be handled, and the residue omitted, and, for *Purgatorie*, the opinion of the heretikes condemned only; otherwise there would be no end of the Councel, nor any resolution of this difficultie. While these opinions went about, concerning these matters reserued for the last, the Legats resolued to dispatch that of Matrimonie, and to abbreuiate the time of the Session, and to holde it the 19. of August at the latest. This pleased the Card. of *Loraine* very much: who hauing receiued answere out of *France*, that hee should giue the Pope satisfaction in going to *Rome*, did resolue so to doe in the end of that moneth, so that the Session were celebrated. And he was forced to ioyne with the Pope and his adherents; not onely in regard of the order receiued out of *France*, but because the Imperialists and Spaniards did mistrust him for the successe of the last Sessions.

The Card. of *Loraine* resolueth to goe to *Rome*.

The 22. of Iuly the *Anathematismes* were giuen forth, not much differing fro the manner, in which they were established afterwards. The greatest varietie was, that vntil then they had not sufficiently considered of the fift, condemning diuorces, allowed in the *Code* of *Iustinian*: which *Anathematisme* was added, at the instãce of the Cardinal of *Loraine*, to oppose the opinion of the Caluinists. And it was easily receiued, because it was cõformeable to the Schoole doctrine, and the Popes Decrees. But in that of diuorce for adulterie, the composers of the Canons did forbeare to vse the word *Anathema*, fearing to condemne that opinion which was of Saint *Ambrose*, and of many Fathers of the Greeke Church. Notwithstanding the others thinking that it was an Article of faith, and almost all the Fathers consenting thereunto, the Canon was reformed, and the *Anathema* added, condemning those that say, that the bond is dissolued by adulterie, and that either of the parties may contract another Matrimonie whilst the other liueth; which Canon receiued afterwards another mutation, as shall be saide in due place.

In the Congregations following, the things proposed were easily dispatched; but almost all the Prelates left those, and spake of clandestine mariages, though neither the time, nor the place did comport it; and the difference of opinions therein began to bee discouered. In the Congregation of the foure and twentieth day in the morning, the Bishop of *Cortona*, Ambassador of the Duke of *Florence*, was receiued; who made a short speech of the deuotion of his Prince towards the Apostolike Sea, and fauour to the Synod: and thankes were giuen him. In the congregation that night, the French Ambassadors caused a request to be read, in the name of their King, that children, which are in the power of their Parents, might not, without their consent, either marry or betroath

The Ambassador of *Florence* is receiued in congregation.

betroth themſelues, or, if they did, that it ſhould be in the power of the parents to make void, or ratifie the contract, as they pleaſed. And the ſame day the Fathers were admoniſhed to put vp in writing to the deputies the abuſes obſerued by them, in the matter of Matrimonie. 1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The voyces beeing all giuen concerning the *Anathematiſmes*, two Articles were propoſed; the promotion of married perſons to holy *Orders*, and the making voyde of clandeſtine marriages. For the former, the Fathers did vniformely, and without difficultie, agree on the negatiue; and the Archbiſhop of *Prague*, and the Biſhop of *Fiue Churches*, who perſwaded them to thinke better on it, were ſcarcely heard. But the other of clandeſtine marriages did not paſſe ſo. For one hundred thirty and ſixe did approue the making it voyd, fiftie ſeuen did contradict, and ten would not declare themſelues. The Decree was compoſed according to the opinion of the *maior* part, that howſoeuer clandeſtine mariages were good, ſo long as the Church did not make them voide, (and therefore the Synod doth anathematiſe him that thinketh the contrarie) yet the Church hath alwayes deteſted them. And now, ſeeing the inconueniences, the Synod doth determine, that all perſons which hereafter ſhall either marrie or betroth themſelues, without the preſence of three witneſſes at the leaſt, ſhall bee vnable to contract, and whatſoeuer they doe therein ſhall be voide. And another Decree followed, commanding the *Banes*, but concluding, that if there were a neceſſitie to omit them, the mariage might bee made, ſo that it were in preſence of the Pariſh Prieſt, and of fiue witneſſes at the leaſt, publiſhing the *Banes* afterwards, vpon paine of excommunication, to him that ſhould contract otherwiſe. But that great number which would make void the ſecret mariages, was diuided into two parts, ſome following the opinion of thoſe Diuines who grant power to the Church to make the perſons vncapable, and ſome, thoſe who ſay it may make the contract voide. And the Legates themſelues did differ. *Morone* was content with any reſolution, ſo that they might diſpatch. *Varmienſe* thought that the Church had no power herein, and that all marriages, celebrated in what manner ſoeuer, with conſent of the perſons contracting, are good. *Simoneta* ſaid, that the diſtinction of the contract of Matrimonie from matrimonie it ſelfe, and the giuing of power to the Church ouer the one, and not ouer the other, ſeemed to him ſophiſticall, and chimericall, and was much inclined not to make any innouation. Two new Articles concerning married Prieſts and ſecret mariages.

Concerning the abuſes of Matrimonie, many Prelates conſidered that the cauſes to hinder mariages, and to make them voide though they were contracted, were ſo many, and happened ſo often, that there were but few not ſubiect to ſome of thoſe defects; and (which was more) perſons did contract ignorantly, either not knowing the prohibition, or the fact, or by forgetfulneſſe, in whom, after they knew the trueth, many perturbations and ſcruples did ariſe, as alſo ſuits and contentions about the legitimation of the iſſue, and the dowries. The impediment of kinred, contracted in baptiſme, was particularly alleadged for a very great abuſe, becauſe in ſome places twenty or thirty men were inuited for God-fathers, and as many women for God-mothers, betweene all which, by Eccleſiaſticall conſtitution, a ſpirituall kinred doth ariſe, who oftentimes, not knowing one ano-

1563 ther, do ioyne in marriage. Many thought fit to take away this impediment; not becauſe it was not well inſtituted at the firſt, but for that, the cauſe of the inſtitution beeing ceaſed, the effect ought to ceaſe alſo. They conſidered that the goſſips were then ſureties to the Church, for the faith of the children baptized, and therefore were bound to inſtruct and chatechize them, according to their capacitie, by which meanes they conuerſed often, and familiarly with them and their parents, as alſo the goſſips amongſt themſelues, by which meanes a certaine relation did ariſe betweene them, which was a cauſe to be reuerenced, and ſufficient to prohibite marriage, as all other cauſes to which reuerence ought to bee borne. But afterwards, when vſe had aboliſhed whatſoeuer was reall herein, and the God-father did ſeldome ſee his God-childe and had no care at all of his education, the cauſe of reuerence ceaſing, the relation ought not to haue place.

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

Likewiſe the impediment of Affinitie by fornication, nullifying marriages vntill the fourth degree, it beeing a matter of ſecrecie, did enſnare many, who, vnderſtanding the trueth after the marriage, were filled with perturbations. For kinred of Conſanguinity, and Affinity, it was ſayd, that the ſame account beeing now not made of it, as formerly was, and, amongſt great perſonages, ſcarce memorie kept of the fourth degree, that might bee omitted alſo. Wherein there was much diſputation. Some thought, that as ſeuen degrees of kinred did hinder marriage for many hundred yeeres, and *Innocentius* the third tooke away three of them at once, reſtrayning the impediment vnto the fourth, alleadging very common reaſons, that there are foure Elements, foure humours of mans body, ſo, it appearing now that foure cannot bee obſerued without many inconueniences, the impediments may bee more iuſtly reſtrayned to the third. Others contradicted, and ſayd, that ſo they might hereafter proceede further, and at the laſt come to that of *Leuiticus*; which would cheriſh the opinion of the Lutherans; and therefore did conclude that it was dangerous to innouate. Which opinion, after much examination, did preuaile. Some thought that the impediment of fornication, beeing ſecret, ought wholly to bee taken away: But they preuailed not, becauſe there appeared an inconuenience, in regard that many things which firſt are ſecret are publiſhed afterwards.

Many were of opinion that no nouitie ſhould bee made in theſe prohibitions, but power granted to Biſhops to diſpence, and maintained that it was better to giue it to them then to the Court, becauſe they knowing better the merits of the fact, and the cauſes, may exerciſe diſtributiue iuſtice more exactly herein. They ſayd, the Court of *Rome* doth often giue diſpenſations to perſons not knowen, who obtaine them by deceipt, and that diligence cannot be vſed in regard of the diſtance of the Countreys. Beſides the world beeing ſcandalized, thinking they are not giuen but for money, that infamie ought to be taken away. The *Spaniards*, and *French-men* laboured effectually herein; but the *Italians* ſaid they did it to make themſelues all Popes, and not to acknowledge the Apoſtolique *Sea*, and that the difficultie of ſending to *Rome*, and negotiating the expedition with paines and coſt was profitable, becauſe by that meanes, few marriages were contracted

in

in degrees prohibited; whereas, if by granting power to Bishops there were a facility heerein, the prohibitions would, in a short time, come to nothing, and so the Lutheranes would gaine their opinion. Hereupon a common inclination grew, that none should bee dispensed with, in these prohibitions, but for a very vrgent cause; into which opinion those who could not preuaile for the Bishops did enter also, thinking it was more for their credit, if that which was forbid to them, were not granted to others. After many discourses in the Congregations, it was resolued to restraine spirituall kindred, and affinity by mariage and fornication, and to confine the dispensations also within the limits which shall be spoken of in reciting the Decrees.

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

There was some contention also about the ninth point, in which Superiours are forbidde to force their subiects to mary, with threats and punishments, naming the Emperour, and Kings. *Gulielmus Cassodarus*, Bishop of *Barcellona*, opposed, and saide, that it could not bee presupposed, that great Princes would meddle in mariages but for great causes, and for the publique good; that threats and punishments are then bad, when they are vsed contrary to order of law; but penall precepts, conformable to the law, are iust, and cannot bee reprehended. If there bee any case (he said) in which the Superiour may iustly command a mariage, he may force the celebration of it, by penall commands, alleadging also that it is a thing decided by the Diuines, that iust feare doth not cause an inuoluntary action. Hee desired that lawfull causes might be excepted, and those Superiours onely comprehended in the Decree, who doe compell against iustice, and order of the law; saying, that many cases may occurre, in which the necessity of the publique good doth require the celebration of a mariage, which hee that would say that a Prince could not command, and cause, by compulsion, to bee celebrated, should offend against the law of God, and man. To this reason he added an example, that, in the yeere 1556. the second of Ianuary, *Paul* the 4. sent a monitorie to Dame *Ioan* of *Arragon* wife of *Ascanius Columna*, that she should not marry any of her daughters without his leaue, or, if she did, the matrimony, though consummated, should bee void; which that most wise and sincere Pope would not haue done, if Princes had not power to marry their subiects, in case of the publique good.

Whether one may be forbid or forced to marry.

In the point of not mentioning Princes he was followed by many, and the name of the Emperour, Kings, and Princes, was taken away. But for the residue hee was much opposed, with this reason onely, that Matrimony is an holy thing, in which the Secular power hath no authority, and if there be any lawfull cause to compell any to marry, it must be done by the Ecclesiasticall power onely. The relation of the monitory of *Paul*, raised a great whispering in the Congregation, and afterwards gaue matter of diuers discourses. Some said he did it, not as Prince, but as Pope, and that he had reason to doe it, in regard *Ascanius Columna* being a traytor vnto him, he would not haue him get new adherences, by mariage of his daughters, by which hee might bee confirmed in his contumacie. Others said, that the Pope, as Vicar of CHRIST, hath no traitors in temporall matters, and that the opinion of those who thinke that mariages may be made void by Apostolique authority is not well grounded, except it bee by course of law, or generall ca-

1563 Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

nons, but not for particular persons, and that, for this, neither reason can be brought, nor example found. Some denied, that one might ground himselfe vpon such actions of Popes, which shew rather how farre the abuse of their power can stretch, then how farre the lawfull vse thereof is extended.

And there was no lesse difficulty, because the Decree did comprehend fathers, mothers, and other domesticall Superiours, who might compell their children, especially daughters, to marry: and it was considered, that to come to excommunication, in cases of this kind, was very hard. Yet those who before had defended, that children were bound to obey their fathers in this particular, did maintaine it. A temper was proposed, that hauing first commanded politique Superiours vpon paine of excommunication, domesticall Superiours should bee admonished not to compell their children against their will. But the same men still opposed, and said, it was not iust to take from fathers that power which God hath giuen them. And, in the end, it was resolued to take this part quite away. But the Bishop of *Barcellona*, and some few besides, were not of the same opinion, as to say, that as the authority of fathers and other domesticall Superiours ouer mariages was manifest, or, at the least, not to bee doubted, and therefore not to bee spoken of, so the same consideration ought to bee had of the authoritie of Politique Superiours.

The Congregations, assembled to discusse this point, beeing ended, the last whereof was the last of Iulie, they beganne to speake priuately of secret mariage. And both parties continuing in their owne opinions, some said that the difficulty doth presuppose a doctrine of faith, and therefore cannot bee determined, beeing contradicted by a notable number. This troubled them much who desired they should bee made voide, and thought that they were wholy barred from all possibility to obtaine it.

A difficulty about censuring the Arch-bishop of *Toledo*.

At this time a difficulty arose, though priuate, yet very contentious. For the Deputies concerning the *Index*, hauing giuen the worke of *Bartholomeus Caranza*, Arch-bishop of *Toledo*, to some Diuines, to bee perused, and they hauing related that nothing worthy of censure was found in it, the Congregation did approoue it, and made publique faith thereof at the petition of his Agent. But because the booke, and the authour were vnder the censure of the Inquisition of *Spaine*, the Secretary *Castellume* complained to the Count of *Luna*, and the Count to the Fathers of that Congregation, desiring a retractation. The Fathers not inclining to reuoke the Decree, because they thought it iust, the Bishop of *Lerida*, either mooued by the Count, or for some other cause, beganne to speake against it, and to taxe it, alleadging places of the booke, which, by a bad interpretation, did seeme to deserue censure, and, which was more, touched the iudgement and conscience of those Bishops. The Arch-bishop of *Prague*, the chiefe of that Congregation, in defence of himselfe and his colleagues, complained to the Legates, desiring they would shew themselues in the businesse, and protesting not to assist in any publique act, vntill the Congregation had due satisfaction. The Cardinall *Morone* interposed, and made peace, with these conditions, that no other copie of the faith made should bee giuen, and that *Lerida* should giue

satisfaction

satisfaction of words to the Congregation, and to *Prague* in particular, and that all should bee forgotten on both sides. And the Count of *Luna*, with vnresistable entreaties, got the testimonie but of the hands of the Agent of *Toledo*: and so this stir was appeased. 1563

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The Legates gaue the Articles of reformation to the Ambassadours, in number thirty eight, that they might commend to their consideration what pleased them, before they were giuen to the Fathers to be discussed, which Articles were diuided, and one halfe allotted for the next Session, and the other for the Session following, for the reasons which shall bee related hereafter. The Count of *Luna* perswaded the other Ambassadors, to demand, that deputies might be elected for euery Nation, to consider what was fit to be reformed, because the modell giuen by the Legates, made for the interests of *Rome*, could not be fitted to other Countries. But the Cardinall of *Loraine*, and the *French* and *Portugal* Ambassadours contradicted, alleadging that euery one might speake his opinion concerning the Articles proposed, and propose others, if there were cause, so that there was no need to giue this distaste to the Pope, and the Legates, who could not indure to heare speach of Nations in Councell. And the Imperialists comming to this opinion also, the Count retired, but said that diuers considerations ought to bee had concerning those which were proposed.

28. Articles of Reformation.

The Cardinall of *Loraine* counselled the Legats to facilitate the businesse, and to take away those points which might seeme to cause contradiction; adding, that the fewer matters were handled, the better it would be. Whereat *Varmiense* seeming to wonder, *Loraine* asked him, whether he marueiled because hee saw not in him that heate and desire of reformation, as hee had made demonstration of at other times: and hee added that his desire was the same, and had the same disposition of minde to imploy all his force therein, but that experience hath taught him that not onely nothing perfect or ordinarie can bee done in Councell, but that euery enterprise in that businesse turneth to the worst. He perswaded also the Count of *Luna* not to seeke to hinder the reformation totally, but if there were any thing which did not fully satisfie him, he should make the particular knowne, and hee would labour that contentment should be giuen him.

The Card. of *Loraine* excuseth the change of his mind.

The Emperours Ambassadours first of all gaue their answere in writing, the one and thirtieth of Iuly; in which they said, that, desiring a generall reformation in the head and members, and hauing read the Articles exhibited, they had added some things, and noted others, desiring they might be corrected accordingly, and discussed by the Fathers. And because the Emperor, with the Ambassadours of many Princes, did hold a Diet in *Vienna*, to handle many things concerning the Councell, they hoped they would take it in good part, if, hauing receiued a new commandement from his Maiestie, they should present other considerations also; and that, for the present, they added eight Articles to those proposed by them. 1. That a serious, and durable reformation of the *Conclaue* might bee made in Councell. 2. That alienation of Ecclesiasticall goods, without the free and firme consent of the Chapter, might be prohibited, and especially in the Roman Church. 3. That *Commendaes*, and *Coadiutories*, with future succession, might bee taken away.

The Imperialists adde 8. Articles more.

4. That

1563 4. That Schooles and Vniuersities might be reformed. 5. That the Pro-
PIVS 4. uinciall Councels may be inioyned, to correct the Statutes of all the Chap-
FERDINAND. ters; as also that authoritie may bee giuen to reforme *Missals*, *Breuiaries*,
ELIZABETH, *Agends*, and *Graduals*, not in *Rome* onely, but in all Churches. 6. That
CHARLES 9. Lay-men may not bee cited to *Rome* in the first instance. 7. That
PHILIP 2. causes may not be remooued from the Secular Court to the Ecclesiasti-
call, vpon pretence of iustice denyed, before the trueth of the supplica-
tion bee knowne. 8. That *Conseruators* may not bee giuen in prophane
matters.

And, concerning the Articles exhibited by the Legates, they noted many things, part whereof, as being but of small weight, it will not be amisse to omit. Those of importance were. That Cardinals might be chosen out of all Nations, that the Vniuersall Bishop might be created by Electors of all Countries. That the prouisions against *Pensions*, *Reseruations*, and *Regresses*, should be extended, not onely to the future, but to those also that are past. That the kissing of the Gospel should not be taken from the Emperour and Kings, who ought to defend it. That it may be declared what secular affaires are prohibited to Ecclesiastiques, that that which is determined in the decree of Residence may not be crossed. That, in the Article of laying taxes vpon the Ecclesiastiques, the cause of Subsidie against the *Turkes* and other infidels may be excepted. This proposition, though it were of hard digestion, did not so much trouble the Legats, as the doubt mooued, that some extraordinary demaund for change of *Rites*, receiued by the Church of *Rome*, and relaxation of Precepts *de iure Positiuo*, might come from the Diet in *Vienna*.

The Articles exhibited by the Frenchmen.

The third of August the Frenchmen gaue their obseruations, the essentiall whereof were. That the number of Cardinals might not exceede foure and twentie, and that no more might be created, vntill they were reduced to that paucitie. That they may be elected out of all Kingdomes and Prouinces. That there may not be two of one Dioceese, nor more then eight of one Nation. That they may not be lesse then thirtie yeeres of age. That the nephew or brother of the Pope, or of any Cardinall liuing, may not be chosen. That Bishoprickes may not be giuen them, that they may the better assist the Pope, and that, their dignitie being equall, their reuenew may be equall also. That none may haue more then one Benefice, and that the difference, vnknowen to the good ages of the world, of Benefices simple, and with cure, compatible, and incompatible, may be taken away; and that hee that hath two at this present, may choose and keepe one only, and that within a short time. That resignations in fauour may be quite taken away. That it may not be prohibited to conferre Benefices onely vpon those who haue not the language of the Country, because the Lawes of *France* forbid all strangers, without exception, to haue offices, or Benefices in the Kingdome. That the criminall causes of Bishops may not be iudged out of the kingdom, in regard of the ancient priuiledge of *France*, that none may be iudged out of the Kingdome, neither voluntarily, nor by compulsion. That power may be restored to Bishops to absolue from all cases, without exception. That, to take away suits for Benefices, *preuentions*, *resignations* in fauour, *man-*

dats,

dats, expectatiues, and other vnlawfull wayes to obtaine them, may be remooued. That the prohibition, that the Clergie may not meddle in ſecular matters, may be expounded, ſo that they may abſtaine from all functions, which are not holy, Eccleſiaſticall, and proper to their order. That the *Penſions*, alreadie impoſed, may be taken away and abrogated. That, in cauſes of Patronage, the ancient inſtitution in *France* may not be changed, to giue ſentence in the *poſſeſſorie*, for him who is in the laſt poſſeſſion, and in the *petitorie*, for him who hath a lawfull title, or a long poſſeſſion. That the lawes of *France* concerning Eccleſiaſticall cauſes may not be preiudiced, that the *poſſeſſorie* may be iudged by the Kings Iudges, and the *petitorie* by the Eccleſiaſtiques, but not out of the Kingdome. That none may be aſſumed to be Canon in a Cathedrall Church, before he be fiue and thirtie yeeres olde. That, for the Article containing the reformation of Princes, the Clergie may be firſt intirely reformed in this Seſſion, and that which belongeth to the dignity and authoritie of Kings and Princes may be deferred vntill the next, and that nothing may be decreed therein, before they the Ambaſſadours be heard, who haue giuen account to the King of thoſe and other things, which they had to propoſe. But howſoeuer they propoſed theſe difficult matters, yet they ſaid indifferently to all, and with affectation, that it might be publiſhed, that they would not be earneſt in any thing, but that which concerneth the rights and ſecular affaires of their Kingdome. The Venetian Ambaſſadors propoſed that the article of Patronage might be ſo accommodated, that it might not giue occaſion of nouitie, concerning thoſe who belong to their *Republique*, and Prince. The Ambaſſadours alſo of *Sauoy* and *Tuſcane* made the ſame inſtances.

1563
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

At this time the Imperialiſts receiued commiſſion from their Prince, to mediate, as they did, with the Legats, that, in the reaſon of the *Index* of the bookes, mention might not be made of the *Receſſes* of the Diets in *Germanie*, formerly prohibited by *Paul* 4: and the Emperors order was ſomewhat ſharpe, that, in ſtead of handling Eccleſiaſticall matters, they would not giue a forme to the policie of *Germanie*, and occaſion to the people who are gouerned by ſuch lawes, to aliene themſelues from the Church of *Rome* againſt their wills. Anſwere was made, that the Biſhop of *Prague*, one of them, who was chiefe of the Congregation, might know whether any ſpeech were made of it, and if there was not, his Maieſtie might truſt to his Ambaſſadour, who, in all cauſes concerning him, ſhould be fauoured both by them, and by the Pope.

The ſeuenth day the Spaniſh Ambaſſadour preſented his writing; in which he ſaid hee was well ſatisfied with all the articles, and would not demand any thing, but onely the change of ſome words, which ſeemed vnto him to be ſuperfluous, or that they may be expounded better. And he touched almoſt all things which did enlarge the authoritie of Biſhops, ſo moderating the words, that the alteration did not ſeeme to be ſubſtantiall, but that indeed he did rather reſtraine then augment it. Hee made requeſt alſo that they would treat of the *Conclaue*, ſaying, that the King did much deſire it; as alſo that the part concerning ſecular Princes might be deferred vntill another Seſſion. After that he had exhibited his writing, hee deſired the Legats,

that,

1563 Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

that, ſo ſoone as voices were giuen concerning the things propoſed, they would depute Fathers of euery Nation, to collect what they ſhould thinke neceſſarie for reformation of their Countreys, that all might be determined with a generall ſatisfaction. *Morone* anſwered in the name of all, that they could not conſent to proceede otherwiſe then they had done hitherto in other matters. Wherein many things being ſaid by both parties, by the Count to intimate the Councell was in ſeruitude, and by the Cardinall to ſhewe the libertie, *Morone* added, that no man could complaine that hee was hindered in his libertie of ſpeaking. The other replyed, that he could not beleeue that any thing of worth had beene done by them, and did not forbeare to tell him, that there was a great murmuring in the Councell for the particular congregations aſſembled a fewe dayes ſince, and that it was ſuppoſed that they were made to get voices. The Legats ſaid, it was their duety, in the diuerſitie of opinions, to vnderſtand the trueth, and accommodate the differences, that matters may be determined with vnion. The Count replyed, that it was well if it were ſo, but that *Italians* onely were called, except two or three Spaniards, and as many Frenchmen, who differed from others of their Nations. The Legats defended themſelues, that they were not called in proportion, becauſe there were an hundred and fiftie Italians in Councell, and not aboue threeſcore of all other Nations. The Count ſeemed to be ſatisfied, and, being parted, ſaid to his Prelats, that the Legats hauing begun a diſcourſe to ſhew that eſteeme ought not to be helde of Nations, had concluded it, ſhewing that they had euer helde eſteeme of them.

The next day, the Legats and two Cardinals conſulted about the aduertiſements of the Ambaſſadours, and how to amend the Articles of reformation, to be giuen to the Fathers, and of the maner to be helde in ſpeaking on them. In which *Loraine*, hauing receiued new letters from *France*, and order, that both himſelfe, and all the other French Prelats ſhould fauour the Popes affaires, wholly bent to ſatisfie the Legats, perſwaded them not to ſuffer ſo many points to be handled at once, but to diuide them into parts, according to the ſubiects, and when one part was ended, to propoſe another, and to haſten the Seſſion, omitting all the things which had any difficultie, and concluding thoſe onely in which all, or the greateſt part would agree, and particularly not to propoſe, in the beginning, thoſe in which the Ambaſſadours did not conſent.

The eleuenth day the Congregations began to be celebrated, to eſtabliſh the *Anathematiſmes*, and decrees of Matrimonie. The propoſition of the French-men was handled, to make marriages voide, contracted by children, without conſent of parents, in whoſe power they are. And the firſt that gaue voice did differ in opinion. The Cardinal of *Loraine* did approue it, alledging places of the Scripture which giue to the Fathers power to marry their children, examples of marriages of the Patriarkes *Iſaac* and *Iacob*, adding the Imperiall lawes of the *Inſtitutions* and the *Code*, made by Chriſtian Princes of famous memorie; as alſo the Canon vnder the name of *Euariſtus*, and another of the Councell of *Carthage*, produced by *Gratian*. And he related the inconueniences ariſing herein. The Archbiſhop of *Otranto* was of the contrary opinion; ſaying, that this was to giue authority to Lay-men ouer

the

the Sacraments, and make them beleeue that the authoritie of making them voide doeth depend on the paternall, not on the Ecclesiasticall. Besides, it would be a decree directly contrary to the holy Scripture, which expressely saith, that a man shall leaue father and mother, and cleaue to his wife. And, for inconueniences, it will cause more, referring the sonnes to their fathers in matters of conscience. And if a father would not consent to the mariage of a sonne, who hath not the gift of continencie, he would be infinitely perplexed. Nine and twentie spake in that Congregation, and twentie were of opinion to omit that matter. Of the others, some approoued the decree so generally, and some restrained it in sonnes to the age of twentie yeeres, and of eighteene in daughters. 1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

In the end of the Congregation, the Venetian Ambassadours caused a demand of theirs to bee read, concerning the *Anathematismes* of diuorces, which did continue in substance. That their republique hauing the kingdones of *Cyprus*, *Candie*, *Corfue*, *Zante*, and *Cephalonia*, inhabited by *Grecians*, who haue from all antiquitie vsed to put away their wiues for fornication, & take another, for which *Rite*, well known to the whole Church, they were neuer condemned, nor reprehended by any Councell, it was not iust to condemne them in absence, hauing not been called to this Councell. Therefore that the Fathers would bee pleased so to accommodate the Canons concerning this matter, that they may not doe them any preiudice. The Legates hauing receiued this demand, did cause it to bee proposed, without making any particular examination of it; which caused a whispering amongst the Fathers. And, in the next Congregation, some of them touched that string, repeating the same, that it was not iust to condemne the *Grecians*, not heard, nor cited. The Archbishop of *Prague* opposed, and said, that, by the generall citation of all Christians, they also were vnderstood to be cited by the Pope. To which the Cardinall of *Varmia* added, that his Holinesse had sent particularly to inuite the Duke of *Muscouia*: and howsoeuer he knew not wel that he had inuited others of the Greeke Church in special, yet it ought to be presupposed that the whole nation was called, euen by speciall inuitation; besides, the generall intimation was sufficient, as the Archbishop had said. Whereupon the Legates gaue order to the Secretarie, to take that particular out of the petition of those Ambassadours, that is, that the *Grecians* haue not been called. But as well in regard of their proposition, as of the opinion of Saint *Ambrose*, they would not vse the word *Anathema*, but found a temper, that is, not to condemne those who say that Matrimonie may be dissolued for adulterie, and another contracted, as Saint *Ambrose* and some *Greeke* Fathers did say, and as the Easterne Church doeth practise, but to anathematize those who say, the Church may erre, teaching that the Matrimoniall bond is not broken by adultery, and that it is not lawfull to contract another, as the Lutherans doe maintaine. This forme was generally approued, & many did praise it, and say, that the Councel was assembled only to condemne the opinions of the Protestants, and not those of other Nations. Yet some doubted how one could be condemned for saying the Church did erre in teaching an article, the contrary whereof was not condemned. But seeing that it was fauoured by so many, they contented themselues. The Venetian Ambassadors doe exhibite a petition cõcerning diuorces in the Greeke Church.

And

1563
Pius 4.
Ferdinand.
Elizabeth
Charles 9.
Philip 2.

And becauſe the propoſition about the mariage of children did bring in a generall queſtion, whether the Church could make mariages void, all beganne to ſpeake of it, howſoeuer it had beene ſpoken of before, the voices collected, and the Decree compoſed accordingly, as hath been ſaid. Cardinall *Madruccio* maintained the negatiue, and alleadged many reaſons and arguments, ſaying that he would oppoſe in Seſſion alſo. And *Warmienſis*, and *Simoneta*, ſpake as much. But *Laynez*, Generall of the *Ieſuites*, hauing diſperſed a writing againſt the irritation, made a greater confuſion, and gaue occaſion to many to bee more conſtant and couragious in the other opinion. And in the Congregations they beganne to anſwere one anothers reaſons, with ſuch prolixity, that the Legats were almoſt of opinon to omit that matter, for feare it would hinder the Seſſion; and the rather, becauſe the Biſhop of *Sulmona* did firſt make a queſtion in publique Congregation, whether that matter of irritation did belong to doctrine, or reformation. The Biſhop of *Segouia*, who ſpake after him, made a long diſcourſe, to ſhew, that it could not be reduced to doctrine, and therefore the maior part hauing approoued the irritation, the Decree was as good as eſtabliſhed. The Biſhop of *Modena* followed the ſame opinion, adding, that to handle that matter by way of doctrine, would take away all meanes of making any reformation whatſoeuer. For in all Articles the ſame difficultie might bee moued, whether the Church hath authoritie in that particular which is handled: which would bee as much as to put Armes into the hands of heretikes, and to take all authoritie from the Church, becauſe it would not bee fit to meddle with that, to which it might bee doubted whether their authoritie did extend. He complained, that that queſtion was mooued by him who ought to holde it, as cleere and decided. This opinion pleaſed many, who ſaide that it neuer ought to bee diſputed whether the Church can doe any thing or not, but to take it for granted, that as all power in heauen and earth is giuen to Christ, ſo the Biſhop of *Rome*, his *Vicar*, hath as much; which being communicated by him to the generall Councel, it muſt be defended that it wanteth no power to doe whatſoeuer is profitable, without diſputing whether it concerne doctrine or not. It pleaſed thoſe alſo who deſired the diſpatch of the Councel, perceiuing that the difficultie promoted might hinder the ending thereof, and cauſe a ſcandall. And the Legates and principall Italians vſed perſwaſions that it might not bee ſpoken of, in regard there was no cauſe to treate of it with the French-men or the Spaniards, who did all agree in opinion, that ſecret mariages ought to bee made voide. And many aſſemblies of Prelates were made both amongſt themſelues, and with the Legates, to this end: and it was reſolued that the decree ſhould not onely not be placed with the doctrine, that it might not ſeeme to be a part of it, but alſo that it ſhould not be ſo much as in a Chapter apart, leſt it might be doubted whether it was holde to be ſuch, or not, but that it ſhould be inſerted amongſt the articles of Reformation. And to remooue all difficultie the more, it was reſolued alſo ſo to compoſe the decree, that they might not ſeeme to handle that matter purpoſely, but to mingle it with the firſt article of the abuſes, which was a proüiſion to reſtore the *Banes*, ordained by *Innocentius* the third, which had been intermitted; and in decreeing as well this, as all the other conditions appro-

priated

priated for the publike forme of Matrimonie, it ſhould bee added, in two words onely, as it were incidently, that all contracts made otherwiſe were void, and ſo paſſe it ouer, and ſay no more. And the Decree was compoſed according to this ſence, and reformed often, alwayes very intricately, and the later had euer more difficultie then the former. And amongſt other alterations, this point, eſtabliſhed before, as hath been ſaid, was changed, that the preſence of three witneſſes was ſufficient for abſolute validitie, and, inſtead of one witneſſe, it was ſubſtituted, that euery Matrimonie ſhould be void, contracted without the preſence of the Prieſt; a thing which did much exalt the Cleargie, ſeeing that ſo principall an action, in Political & Economical adminiſtration, which vntill then had beene only in the hands of thoſe to whom it belonged, came to be in the power of the Eccleſiaſtical order, there remaining no means to contract Matrimonie, if two Prieſts, that is the Pariſh Prieſt, and the Biſhop intereſted for ſome reſpects, ſhall refuſe to afford their preſence. I haue not found in the memorials who was Author of this great aduantage; as many other particulars of importance are hid from me alſo, whereof I would willingly make mention. I ought not to defraud *Francis Beaupere*, Biſhop of *Metz*, of his due honour, who, thinking it impoſsible to reduce this Decree into ſuch a forme as might giue ſatisfaction to various opinions, and to repreſent them with reſeruations and nice diſtinctions, gaue this forme to it, in which it now is; which as it is ſubiect to diuers interpretations, ſo it may bee fitted to diuers opinions: and being propoſed in Congregation, it had one hundred thirty and three voyces in fauour of it, and nine and fiftie did expreſly contradict.

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

The Legats informed the Pope of all, and demanded order what they ſhould doe, and whether the contradiction of ſuch a number, it beeing impoſsible to perſwade them, ſhould hinder the Decree, or not. There was a report, which cauſed ſome feare amongſt the Fathers, that the plague was in *Iſpruc*, and many would haue been gone, if the Cardinall *Morone*, who thought that matters were in good termes to finiſh the Councell, had not vſed meanes to know the certaintie; which was, that in *Sborri*, a place twentie miles diſtant from *Iſpruc*, many of thoſe poore men who laboured in the mines, died of a contagious ſickneſſe, by an infection taken vnder the ground, and that thoſe of *Iſpruc* had prouided ſo well, as that there was no danger the diſeaſe would come thither; which alſo did decreaſe in *Sborri*.

A vaine feare of the Plague in *Trent*.

A great ſtirre happened likewiſe amongſt the Italian Prelates, eſpecially thoſe of the kingdome of *Naples*, and Dukedome of *Milan*. For the Catholike King moued the Pope, the moneth before, to place the *Inquiſition* in the ſtate of *Milan*, as it is in *Spaine*, and to make a Spaniſh Prelate the Head of it, alleadging, that, in regard of the vicinitie of places infected, it was neceſſarie to vſe exquiſite diligence for the ſeruice of God, and defence of religion, and notice came that the Pope had propoſed it in conſiſtorie, & did ſhew (howſoeuer it was contradicted by ſome Cardinals) ſome inclination to it, at the perſwaſion of Cardinall *Carpi*, who told him, that it was good for the keeping of the citie of *Milan* in deuotion towards the Apoſtolike *Sea*, which office hee performed, for a ſecret hope, cheriſhed by the Spaniſh Ambaſſador, that, by this meanes, he ſhould gaine the fauour of the King of *Spaine* to make him

A ſtirre about the *Inquiſition* in *Milan*.

1563 Pope. The cities of that ſtate ſent *Sforza Morone* to his Holineſſe, and *Ceſare Tauerna* and *Principuale Biſoſto* to the Catholike King, and *Sforza Briuio* to the Councell. This laſt to pray the Prelates, and Cardinals of that ſtate, to haue compaſſion on their Countrey, which being brought into miſerie, by exceſſiue impoſitions, would bee wholly diſſolued by this, which goeth beyond all, many citizens preparing themſelues to abandon the Countrey, knowing well that that office had neuer proceeded in *Spaine* to heale the conſcience, but very often to emptie the purſe, and for many other mundane reſpects alſo. And if the *Inquiſitors*, vnder the Kings owne eyes doe domineere ſo rigidly ouer their owne Countrey-men, how much more will they doe it in *Milan*, where remedie will hardly bee found againſt them, towards perſons whom they care leſſe for. *Briuio* declared how the Cities were generally perplexed with this ill newes, deſiring the fauour of the Prelates. This did more diſpleaſe the Prelates, then the Seculars, and thoſe of the Kingdome did doubt, that, the yoke being put vpon the ſtate of *Milan*, themſelues ſhould not bee able to keepe it from their owne neckes, as they had done before. The Prelates of *Lombardie* did aſſemble, and reſolue to write letters to the Pope, and to Cardinall *Borromeo*, ſubſcribed by them all. They tolde the Cardinall it would bee a preiudice to him, to whom it belonged, as Arch-biſhop, to be the chiefe in that office. And they ſaid to the Pope, that there were not ſuch cauſes and reſpects as are in *Spaine*, to put ſo rigorous an Inquiſition amongſt them; which, beſides the euident ruine which it will bring to that ſtate, will be a great preiudice to the holy *Sea*. For he could not refuſe to place it in *Naples* alſo; which would giue occaſion to other Princes of *Italie* to deſire the like. And that *Inquiſition* hauing authoritie ouer the Prelats, the holy *Sea* would haue but little obedience from them, becauſe they would be forced to ſeeke the fauor of ſecular Princes, to whom by this meanes they would be ſubiect; ſo that, in occaſion of a new Councell, he ſhould haue but few Prelates whom hee might truſt, and command freely. Neither ought hee to beleeue that which the *Spaniards* might ſay, that the *Inquiſition* of *Milan* ſhould bee ſubiect to that of *Rome*; as doeth appeare by their proceeding in the cauſe of the Arch-biſhop of *Toledo*, euer refuſing to ſend the Proceſſes which haue beene demanded from *Rome*: as alſo doe the *Inquiſitors* of the kingdome of *Sicilie*, who depend on *Spaine*. The Prelates, not content with this and other reaſons alleadged vnto the Cardinals, and others of *Rome*, by euery one to thoſe with whom hee had any power, did perſwade alſo that ſome word might bee inſerted in the Decrees of the Councel, in fauour of the Biſhops, to exempt or ſecure them, and that the manner of making Proceſſes in that matter might be decreed; which if it could not be done in the firſt Seſſion, it might in the next. *Morone* gaue them hope of ſatisfaction. And this accident did trouble the Councell very much, becauſe many were intereſted in it. But newes came, a few dayes after, that the Duke of *Seſſa* had found the generall diſtaſt it gaue, and, for ſome reports which came vnto him, doubting that the Dutchie of *Milan* would follow the example of the Flemings, who became *Gueux* (for ſo the reformatiſts are called in thoſe Countreys) by the attempt of putting the *Inquiſition* vpon them, knowing it was not a fit time to handle that buſineſſe, ſtopped their Ambaſſadors,

Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

promiſing

promising to vse meanes that the State should haue satisfaction. And, but for this, some matter of great moment had ensued. 1563

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The Pope seeing the answeres of the Abassadours, made to the Articles proposed by the Legates, was more confirmed in opinion, that it was necessary to finish the Councell, otherwise hee thought some great scandall would follow: and the inconueniences foreseene hee esteemed but light, and feared some greater not thought on. But seeing the difficulty to make an end, without determining the things for which the Councell was called, if the Princes were not content, he resolued to treat with all of them herein. Therefore hee wrote concerning this to his *Nuncij* in *Germanie*, *France*, and *Spaine*, and spake of it to all the Ambassadours residing with him, and to the Ministers of the Princes of *Italie* also, vsing this conceipt, *that to him that assisted to finish the Councell, hee should bee more obliged, then if hee had assisted him with armes, in some great necessitie.* To the Legates hee answered that they should principally ayme at the conclusion of the Councell, and should grant whatsoeuer was necessary to obtaine it, admitting as few preiudiciall things as was possible: all which hee did referre to their wisedome who were in the businesse, so that the Councell might end with speede.

The Pope laboureth to finish the Councell.

The Ordination of Princes, and some Articles of the other Reformation are deferred.

But the Legates, hauing, together with some of the Prelates, considered the propositions of the Ambassadours concerning the reformation, and, at their instance, omitted sixe of the Articles proposed, and reduced them to the number of two and thirtie, the one and twentieth of August gaue them to the Prelates to bee discussed. *Loraine* made particular congregations of the Frenchmen, to examine them: which did please the Legates, not onely because they were assured he had the same intention as they had, but because they were desirous to accommodate them to the common satisfaction, before they were spoken of in generall Congregation. And they gaue order to the Archbishop of *Otranto*, and *Taranto*, and to the Bishop of *Parma*, to assemble their adherents in their priuate houses, to examine them, and search what would giue a general contentment. This continuing some dayes, the *Spaniards*, and some *Italians*, who were not called, murmured very much, resoluing to make a mutinie, and to oppose.

And so do the Legats.

The Archbishop of *Otranto* went to the Catholique Ambassadour, who admonished him, and said, hee was not willing to write to the King those things that would not please him; and told him that those particular congregations were so well vnderstood by all Prelats, that hee could not choose but giue his Maiestie an account of it. Hee excused himselfe, and sayd all was for a good ende, to facilitate the matter, and to prouide against the difficulties before the generall Congregation. And the Bishop of *Ischia* comming iust then to speake with the Count; from the Cardinall *Morone*, hee told him the same, that those priuate Congregations did displease him, and that his opinion was they could not bee for any other end then to cause difficulties, and to omit part of the Articles, that the Session might sooner be celebrated. Notwithstanding the Legates, ayming more to satisfie the Prelates, then the Ambassadour, hauing considered on the things obserued in those particular congregations, held them for good aduertisements, and did alter and compose the Decrees, according to them:

The Spanish Ambassadour is displeased with the priuate congregations.

1563
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

But as they were about to giue them foorth, so corrected, the Archbishop of *Prague*, vpon an instruction newly brought vnto him by a Currier from the Emperour, did instantly desire the Legats, not to propose the reformation of Secular Princes, vntill they had answere from his Imperiall Maiestie, and afterwards was seconded by the Count of *Luna*. The Legats were much perplexed herewith, considering that *France* first, and now the Emperour, and King of *Spaine* were not satisfied. And, on the other side, the common desire of all the Fathers was, that the reformation should bee made all together. Whereupon beeing assembled in the house of *Nauagero*, who was sicke, they proposed, whether all the reformation should be put off, or onely that part which concerneth Princes. *Lorraine* was of opinnion that onely this should be deferred, and the residue proposed; which would haue pleased, but that they doubted they should make the Prelates afraid, that the secular reformation should bee wholly omitted, whereby they might take occasion to exclaime both priuately, and in the publique Congregations. Whereupon they resolued to satisfie the Ambassadours, deferring the reformation of Princes; and, that the Prelates might not take it ill, to deferre halfe at the least of the other Articles, and those the most important, giuing foorth the rest, as they had corrected them, that the voyces might bee giuen, and the Session celebrated, though the difficultie about the Decree of clandestine marriages did make them doubt. The sixt of September one and twenty Articles of reformation were giuen foorth, with order to beginne the congregations on the morrow. In the composition of these, Cardinall *Simoneta*, and his adherents, vsed all their Arte and ingenie, to proceede with such a temper, that the Court of *Rome* might not bee preiudiced, and the world which desired reformation, and the Ambassadours who did solicite it, satisfied, and, which was of most importance, the Bishops contented. For beeing desirous to finish the Councell, it was necessary that they should willingly concur.

The reformation of Princes, and some Articles of the other Reformation are deferred.

The BB. had all one ayme, to haue the gouernemnt more free: which they thought they should obtaine, if three prouisions were made. One, that Parish Priests should depend on them; which would happen, if the collation of Benefices with cure were giuen vnto them, which point, besides other difficulties, did touch *Reseruations*, and the rules of the *Chancerie*, which was to discouer a great part of the secrets of the Court of *Rome*. For it did plainely appeare, that a gate would bee opened to take all collations from them, which was as much as to take from them all power, and life it selfe. Therefore they came to a temper, to hold the *reseruations* firme, but to make the Bishops Patrons to giue the Cure to whom they please, vpon pretence of examination. And, to this end the 18. Article was framed, with exquisite artifice, as euery one may see; which, with a faire shew, giueth power to the Bishop to bestow the Benefice on whom he pleaseth, and yet taketh no profite from the Court. Another point was of exemptions, wherein they had formerly receiued many satisfactions, and now the 11. Article was added for a totall complement. The exemptions of the regular Orders remained; and the Bishops were in hope, either to take them quite away, or, at the least, so to moderate them that they should be subiect vnto them, in a great part.

Euer

Euen since the beginning of the yeare, there was a congregation, erected about the reformation of the regulars, which, by the assistance of seuerall generals, and aduice of other religious persons in Rome, had made a great progresse, and established good decrees, without contradiction, for outward obedience, and in shew the Regulars did not only not abhorre, but desire them; but secretly they made account to interpret and practise them as they listed, and they thought it good to haue a strict reformation in writing, as indeed all their rules are one thing in their writings, and another as they are obserued. But when they began to speake of moderating their exemptions, and subiecting them, at least in part, to the Bishops, the Generalls, and the Diuines of the Orders did mutiny all together; and treating with the Ambassadours of Princes, they shewed them what seruice they did to people, Cities, and publique Gouernments; offering, that if any abuse whatsoeuer were amongst them, it should be amended; that they would be conformed with any reformation, and returning to their gouernments, would execute it with more seuerity then it was ordained; but to subiect the Monasteries to the *Ordinaries*, was absolutely to put them out of order. For they, not vnderstanding a regular life, nor the seuerity of discipline wherewith it is maintained, would disorder euery thing. The Bishops said, that a priuiledge is euer with detriment and derogation of the law, and the reuocation fauourable, reducing things to their owne nature; and therefore to take them away was not to innouate, but to restore things to their ancient state. On the other side it was answered, that the exemption of the Regulars was so well prescribed by antiquity, that it could no more be called a priuiledge, but common-law; that when the Monasteries were subiect to Bishops, the Ecclesiasticall discipline both in them and their Canons, was so well gouerned, and so seuere, that it merited to superintend ouer all; that if they will restore antiquity, they must doe it in all parts; that if Bishops would returne to be as they were in those times, Monasteries might bee subiected to them now, as then they were, but it was not iust that they should demand the superintendency ouer Monasteries, before they made themselues to be such as was necessary the Rectors of a regular life should bee. The Regulars were fauoured by the Ambassadours, and by the Legates, for the interests of the Court, which would haue lost a great instrument, if they had not depended wholly on it. And they wanted not the fauour of some Prelates, who confessed their reasons were good. This contention continued certaine daies, but did abate by little and little, because the Bishops who had mooued it, did discouer euery day more difficulty in it.

1563 Pius 4. Ferdinand. Extraordinary Councell of Pius 4. The reformation of the Regulars. The Ambassadour of the Kinghis reuiued. His Opinion.

The third Article was concerning the impediments which Bishops receiue from secular Magistrates, who, to preserue the temporall power, doe not suffer them to exercise that absolute dominion which they would, not only ouer the Cleargie, but ouer the people. To this effect, the reformation of Princes was made, whereof wee haue spoken already, and will hereafter, more at large. This part, and others which cohere with it, were deferred vntill another Session, because it was thought a difficult matter, and that it would haue much prolonged the businesse. But the Bishops did expound this delay as if they had meant to haue done nothing in it. And they com-

1563 plained, that, purposing to reforme the whole Church, the Clergie onely
PIVS 4. should be reformed. The Legats vsed all meanes to appease them, shewing,
FERDINAND. that not this only was deferred, but other matters also, which were necessarie
ELIZABETH. to be handled, promising that the delay was only to proceed with more ma-
CHARLES 9. turitie, and that they should certainely bee dissolued; that it was necessarie to
PHILIP 2. facilitate the dispatch of that Session, which should be a preparatorie for the
other, in which all that remaineth should be handled. The Legats were all
The preparation of the Legats. bent to hold the Session at the time appointed, thinking it necessarie for the
quicke dispatch of the Councell: for which the Pope, by euery ordinarie
Courier, and sometimes by an extraordinarie, did sollicite them, that he might
be ser at libertie from it. In the Congregation of the seuenth of September
Friar *Martinus Roias*, Ambassador for the *Hospitularies* of S. *Iohn* of *Ierusalem*,
The Ambassadour of the Knights of *Malta* is receiued. now called Knights of *Malta*, was receiued; which was deferred by reason
of the great opposition of some principall Bishops, that hee might not haue
place aboue them, saying it was not iust that a religion of Friars should pre-
cede the whole bodie of so many Prelats. But, finally, the matter was accor-
ded, and published in Congregation, that place was giuen him amongst the
Ambassadors, without preiudice of the Prelates, who pretend precedence.
His Oration. The Ambassador made an Oration, and excused their grand *Master*, who did
not send to *Trent* sooner, by reason of the rumors of the *Turkish Armada*, and
of the incommodities they receiued by *Dragut*, the Pyrate. He exhorted the
Fathers to remedie the present euils, which also did not a little touch the Fri-
ars of their religion, who are not idle members of the Christian Common-
wealth. He perswaded the extirpation of heresies, offering that their grand
Master, and Societie, would take vpon them the patronage and defence of the
cause, spending not their goods only, but their life and blood. Hee related
the beginning of their religion, which was fourtie yeeres before *Godfrey* did
goe to the conquest of the holy land; the heroicall workes done by their an-
cesters, the like whereof they could not performe now, because they were
spoiled of a great part of their lands, and possessions; that they are a *Barracado*
of *Sicilie* and *Italie* against the *Barbarians*. Therefore he prayed the Fathers
to take notice of the antiquitie, nobilitie, merits, and dangers of that *Societie*,
and to cause their possessions, and *Commendaes*, vsurped from them, to bee re-
stored, and that it might be decreed by the Councell, that they should be con-
ferred vpon none but of their order, ratifying the immunities and priuiled-
ges thereof. The *Speaker* receiued the excuse in the name of the Synod, and
promised that they would haue that consideration, as his demand, for the
preseruation of the *Commendaes* and priuiledges of that religion, did deserue.
But howsoeuer hee made the same instance afterwards to the Legates, and
they relation to the Pope, his Holinesse would neuer answere any thing, but
that it belonged to him onely to make prouision herein, and that hee would
doe it, in time conuenient.

In that Congregation and those that followed, voices were giuen con-
cerning the 21, Articles of reformation, proposed; in which though there
was nothing of great moment, yet for the order of the storie, and declarati-
on of many thing which happened afterwards, it is not amisse to make
mention of the principall. In the first, which was of the election of Bi-

shops,

shops, it being said that there was an obligation to prouide the most worthy, the difficulty formerly mooued did returne, that it would binde very straitly the hands, as of the Pope in collations, so of Kings and Princes in the nominations, if they were tyed to nominate one person onely. And the greater part was of opinion to remoue the comparatiue, and to say onely, that they were bound to prouide a worthy person. But, on the other side, some considered, that the Fathers haue alwaies vsed this manner of speech, that the most worthy should be preferred, and alleadged the reason, that hee cannot bee without blame who preferreth the lesse worthy, though fit, before an other of more desert. There was much disputation herein; but a meanes was found to compose all, leauing, in shew, the word, *more worthy*, and speaking first in positiue termes, and passing afterwards to comparatiues, that the prouision might bee vnderstood to bee free; and so that forme was vsed which is now in print: that is, that there is an obligation to prouide good and fit Pastours, and that he doth mortally sinne who doth not preferre the more worthy, and more profitable to the Church; leauing a naturall exposition to these words, that many are more worthy and more profitable, in respect of others, who are lesse; in which compasse the will of him that is to prouide hath a large field. 1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2. In the promotion of Prelats whether the most worthy ought to be preferred.

In the third Article there was some difficulty about the visitation of Archbishops. These alleadged the Canons, and ancient customes, that the Suffragans did sweare obedience to the Metropolitans, and were wholly subiect to their visitation, correction, and gouernement, and would not consent that their authority should bee preiudiced, and, amongst these, the Patriarke of *Venice* was exceeding warme. On the contrary, the Bishops, especially those of the Kingdome of *Naples*, laboured to maintaine the custome, by which they differ not in authority, but in name onely. But the number of the Bishops being great, and of the Arch-bishops small, and the Legates and Papalins fauouring those, that these might not, by gaining authority and reputation by their subiection, exempt themselues more from subiection to the Court, they could obtaine nothing, but one word onely of satisfaction; that is, that they were not forbid to visit, when there was cause, approoued by the Prouinciall Councel. Whereof the Archbishops did complaine, and say, it was iust nothing. For there beeing one Arch-bishop in the Prouinciall Councel, and many Bishops, it is certaine that the cause would neuer bee approoued.

The sixt Article was concerning the exemption of Chapters of Cathedrals, from Episcopall authoritie; in which the Spanish Bishops, and, in contemplation of them, the Count of *Luna* hauing great interest, many restrictions and ampliations were made, but not such as did content the Prelats, howsoeuer they were often changed, and in the ende deferred vntill another Session, as shall bee said.

The thirteenth Article, concerning *Pensions*, spake generally, that no Benefice should be burthened with greater *Pensions* then of the third part of the fruits, or of their value; conformeable to that which was vsed when the *Pensions* began. This seemed not conuenient to the Cardinall of *Loraine*, because there are some very rich benefices which could not be said to be burthened,

if they

1563 PIVS 4. FERDINAND. ELISABETH. CHARLES 9. PHILIP 2.

if they should pay two thirds, and others so poore, that they cannot beare any *pension* at all. And therefore he said, that this was not a iust distribution, and that it was better to prohibite, that Bishopriques of a thousand crownes, and benefices of a hundred, should be burthened, and concerning the others, to say nothing. This opinion preuailed, to the great content of the Legats, and Papalins, for the absolute power which was left to the Pope in good Benefices. Those who demaunded a moderation of the *pensions* of *reseruations* of fruits, formerly imposed, of *accessus*, and *regressus*, made many and long discourses. But the difficulty compelled euery one to bury all in silence, for the confusion and disorders which were foreseene would ensue. For all would haue excused themselues that they would not resigne their Benefices without those conditions, and those especially who had paide composition to the *Chamber* for the obtayning of such *graces*, would haue complained that the *graces* should bee taken from them, and the money not restored; the restitution whereof was a thing impossible. Finally euery one though it enough to prouide for the future, without thinking of that which is past.

The fourteenth Article, which did detest and forbid all payment of part of the fruits for the collation, prouision, or possession, did much please the French-men. They saide the payment of *Annats* was taken away by those words. And indeed he that doth consider, and examine them, cannot giue them any other sence, howsoeuer the euent hath shewed, that they haue not beene so vnderstood in *Rome*. In the seuenteenth, in which *pluralitie* of Benefices is forbid, and *dualtie* granted when one is not sufficient, some desired an addition, that they should not be distant aboue a dayes iourney, that the incumbent might make part of his residence in each of them. But they could not obtaine it, neither did they much labour, foreseeing that that addition, as also the whole Article, would not be executed but against those of the poorer sort onely. The eighteenth, howsoeuer it did please in that it did restore in effect the prouision of Benefices with cure to Bishops, yet the French-men did oppose against the forme of the examination, because it did seeme to binde the Bishops hands too strait. Their reason was, that, by that concourse, too open and too publike a way was giuen to ambition, that antiquitie made profession to giue Benefices to him that refused them, whereas, by this new manner, they would not only procure them but professe themselues to be worthy of them.

In the nineteenth, the Bishop of *Conimbria* spake at large against the *Expectatiues* or *Aduowsons*, because they did make the incumbents death to bee desired, and sometimes procured. And for *Mental Reseruations*, he said they were fraudes, and meere thefts, and that it was better to leaue to the Pope the whole collation of all Benefices, then to vse such vnworthy Artifices, as was to giue vertue to a secret thought, not published, and to leaue a suspicion that it was not a reseruation in the minde, but an inuention after the fact. But *Simoneta* crossed his discourse, saying, that it was good to reprehend abuses for which no prouision was determined, that it might bee procured; but seeing a common disposition to the remedie, and the Decree composed alreadie, it was sufficient to establish it, by consenting, without

our multiplying wordes of reprehension, ambitiously, when there was no neede. 1563

Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The eleuenth of September, the French Ambassadours receiued letters from the King, of the eight and twentieth of August; in which he signified, that he had receiued the Articles, imparted to them by the Legats, and did see that matters were farre from the hope hee conceiued, because to establish these was to pare the Kings nayles, and to make those of the Ecclesiastiques longer. Which because he would not endure, hee commanded to represent to the Fathers with wisedome, dexteritie, and courage, that as euery Prince, so long as the Councell doth proceed aright, is bound to fauour it with all heate of zeale, so to couer the sore, which causeth the present euils, and to make a greater, with the preiudice of Kings, is farre from that which was expected. That hee saw how lightly they passed ouer the reformation of the Clergie, who only haue giuen the scandals to those that haue separated themselues from the Romish Church, and how they assume authoritie to take away the rights and prerogatiues of Kings, to breake their Constitutions and Customes, prescribed by time out of minde, to anathematize and excommunicate Kings and Princes, all tending to sowe disobedience, sedition, and rebellion of subiects against their Soueraignes; whereas it is manifest to the whole world, that the power of the Fathers, and of the Councel, extendeth onely to the reformation of the Clergie, without touching matters of State, or of Secular power and iurisdiction, which is wholly distinct from the Ecclesiasticall, and that alwayes, when the Fathers and Councels haue presumed to handle such things, Kings and Princes haue made resistance; whence many seditions and warres, to the great damage of Christendome, haue proceeded. That they should exhort them to be carefull in that which belonged to their charge, and was necessarie for the present occasions, and to leaue those attempts, which, hauing neuer done good heeretofore, would produce a worse effect in those times. The King added, that, if the Fathers would not retire vpon these perswasions, they, the Ambassadours, should make a strong opposition, which being done, without expecting their iudgement, or referring themselues to their discretion, they should depart, and goe to *Venice*, letting the Frenee Prelats know that they ought to continue in Councel, and indeuour to doe God seruice, being assured, that, in case any thing shall bee treated against the rights, prerogatiues and priuiledges of the King and French Church, they will not faile to absent themselues, as his Maiestie would haue them doe. He wrote also to the Cardinal of *Loraine* in the same manner, as he gaue order should be tolde the other Prelates; that is, that hee should not approoue any thing with his presence, that should bee handled in Councel against the Kings rights, but should absent himselfe, if hee shall see that the Fathers to sally without the limits of their charge, referring him, for the residue, to the instructions sent to the Ambassadours.

The French King writeth to Pius, concerning the Reformation of Princes.

The Ambassadours hauing receiued these letters, and consulted of all with the Cardinall of *Loraine*, by his aduice, did impart them to the Legates, and caused a voyce thereof to passe in the Councel, that the Bishops, hearing of it, might desist from demanding the reformation of Princes, and themselues might not haue occasion to oppose, and protest. But this brought

forth

1563 forth a contrary effect. For the Bishops, who were quiet, in regard of the expectation that, when the Session was ended, the reformation of Princes should be proposed, vnderstanding this newes, and perceiuing that the ayme was to passe it ouer in silence, began to treat amongst themselues, not to proceede any further in the actes of the Councel, if that also which concerneth Princes were not giuen forth, & put in consultation, together with the other articles. And they proceeded so farre herein, that a hundred of them gaue their word one to another to bee constant in this resolution; and hauing drawen a writing to this purpose, which was subscribed by all, they went to the Legats, requiring that the articles of the Reformation of Princes might be proposed and giuen to the Fathers, declaring, as it were by way of protestation, that they would not proceed, nor conclude any thing in the others, but together with these. The Legates gaue good words, purposing, and hoping to diuert the humor. And, in this trouble, the Count of *Luna* appeared againe, and demanded, as he had done before, a reuocation of the Decree, *proponentibus Legatis*, that euery Prelate might propose what hee thought worthy of reformation; and demaunded also that the fixt Article might bee amended, to please the Spanish Prelates, taking quite away the exemptions of the *Chapters* of the Canons of Cathedrall Churches, and subiecting them to the Bishop. And there being in *Trent* a Proctor of those *Chapters*, who laboured to the contrary, hee commaunded him to speake no more in it.

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

A combination of an hundred Prelates concerning the Reformation of Princes.

Things standing in these termes, the Legates thought to holde the Session with the matter of matrimony onely. But it was opposed, that the difficulties of Clandestine marriage were not well digested as yet, and that the Ambassadours would suspect, that if the Session were held, and the reformation not spoken of, all hope was lost that it would euer bee handled. And it being euident that no part of the reformation could bee in order, at the time determined for the Session, they proposed, in the generall Congregation of the fifteenth of the moneth, to prolong it vntill the eleuenth of Nouember; and so it was resolued. The cause of this long delay was, that the Pope, seeing the difficulties to finish the Councell, arising partly by the controuersies of the Prelates, and partly by the oppositions of the Spanish Ambassadour, put all hope of ouercomming them in the Cardinall of *Loraine*. Whereupon hee wrote to the Legates, that, in case the Session could not bee held at the time appointed, it should be deferred for two moneths. And this he did that the Cardinall might haue time to come vnto him, that hee might treat with him, of that which was impossible to doe by letters or messengers, and that, by this meanes, euery preuious disposition for the conclusion of the Councell might be prepared. Vntill that time the Pope had no other determination then to finish the Synode; but hee firmely resolued then, that, if that could not be done, there being a necessitie to rid himselfe of it, he would by all meanes dissolue it. Hee sent the Legates facultie to make a suspension, or a translation, as they thought best, by aduice of the Fathers, and wrote vnto them that he would, by all meanes, be freed from it, by an end of it, if it were possible, which hee did much desire, but, if it could not bee, they should vse one of those two remedies: and therefore that they should endeuour to make some occasion arise, that they might bee requested to doe it, that hee might

The Popes confidence is onely in the Cardinal of *Loraine*.

The Pope is resolued by all meanes to be freed from the Councel.

not

not seeme to bee the autor; as also that they should sollicite the iourney of *Loraine*, who parted the next day after the resolution was made to prolong the Session. 1563

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

All the distastes of *France* for matter of the Councel were ceased in the Pope, though hee receiued continuall troubles from that kingdome. He was much vexed with the dayly instance, made vnto him, that he would consent to the alienation of a 100000. crownes of Ecclesiasticall goods, and by the continuall detraction which hee vnderstood the Hugonots vsed against him, and the Apostolique *Sea*. And, particularly, hee was grieued at the Cardinall *Chastillon*, who, as hath beene said, laid aside the clericall habite, and called himselfe Count of *Beauvois*; and, vnderstanding that the Pope in Consistorie had depriued him of the Cap, the last of May, he resumed the habite of a Cardinall, and was married in it: and, in a great solemnitie in *Roan*, the thirteenth of August, when the King was declared in Parliament to bee of age, he appeared in the solemnitie, in the same habite, in presence of all the *French* Nobilitie: which was generally thought to bee a great contempt of the Papal dignitie. Wherewith the Pope being mooued, hee made his depriuation to bee printed at this time, and many copies to bee dispersed in *Fraunce*.

The Cardinall of *Loraine* goeth to *Rome*.

The Cardinal *Chastillon* mocketh the pope.

And is depriued by him.

The Popes *Nuncio* resident in *Fraunce*, came to *Rome*, a few dayes before the arriuall of the Cardinall of *Loraine*; who was dispatched by the Queene, to propose to the Pope a conference betweene his Holinesse, the Emperour, and the King of *Spaine*, and the King her sonne, in whose traine her selfe would be. The proposition did not displease the Pope, because it might serue him to finish the Councell, but hee thought the execution was impossible. And hee promised to send *Nuncii* to the Emperour and King of *Spaine*, to this end; and appointed the Bishop of *Vintimiglia* for *Spaine*, whom hee therefore recalled from *Trent*, and the Bishop of *Ischia* for the Emperour.

To the Cardinall of *Loraine* he made excessiue demonstrations of honor, lodged him in the palace, and (a thing vnusuall) went publiquely to visit him in his lodging. Their discourses were partly about the Conference, though the Cardinall did not thinke it feasable. They treated about the sale of a 100000. crownes, which whether the Cardinall did promote or draw backe, was not discouered. But the Pope hauing, vpon a new instance made by the French Ambassadour, answered, that hee did referre it to the Councell, many thought it to be an excuse inuented by *Loraine*. But the principall businesse was about finishing the Synode, which the Pope thought to bee of greatest importance, and knew to bee most difficult. Wherein there was great confidence betweene them. For the Cardinall discouered to him that his interests were turned the same way, and that, since the death of his brothers, hee saw plainely, that there was no meanes to maintaine Religion in *France*, and his house, but his coniunction with the Apostolique *Sea*. The Pope promised to make Cardinals at his instance, and gaue him such words as shewed an intention to make him his Successour in the Popedome: and that, they might haue more credite, he made shew, that the greatnesse of that Cardinall was profitable for the ends hee had, in ayming at some matter,

How the Cardinall of *Loraine* was treated in *Rome*.

1563 Pivs 4. Ferdinand. Elizabeth Charles 9. Philip 2.

ter of great moment. And the conclusion of his discourses to euery one was; *Wee must shut vp the Councell, prouide money, and afterwards that will happen which shall please* GOD.

The Pope told the Cardinall, that as often as he heard of the discords, and delaies, which some did plot, he thought to suspend the Councel; but changed his opinion, for feare of the scandall which the world would take, which knew not the truth: and that sometimes hee thought this the greatest euill that could occurre, and sometimes iudged it lesse then the danger in which his authority was, which was the marke at which the Princes, Bishops, and all sorts of persons did shoot: but finally, that it was necessary to lay aside all respects, and come to this resolution. The Cardinall disswaded him, shewing that this was not a medicine to cure the euill, but to deferre it onely, with greater danger; because hee would, in a short time, haue new demands to restore it, and plots would bee laid by those who were not satisfied with him; and that to suspend was as difficult as to finish it. For there was no need to alleadge causes for this, it being sufficient to bring things to the conclusion, and so to ende, whereas the suspension did require an allegation of the cause, whereof euery one would speake his opinion; that it was more honourable to finish, then to suspend it; and hee vsed other reasons, which made the Pope know that the Councel was good, and faithfull. And afterwards he aduised him to deale plainely with the King of *Spaine*.

Therefore calling the Ambassadours of that King, hee complained, in grieuous termes, saying, that he had called the Councel, vpon hope, and promise, that the affaires of the Papacy would haue beene fauoured by his Maiestie, to whom he had giuen all imaginable satisfaction, and would giue him more, according to his demands, if the impediments, caused by the Councel, were taken away; that he had not demanded any fauour of his Maiestie and his Ministers, but the ending of the Councell, for the seruice of GOD, and the publike good, and therein was it vsed, though it was rather a losse to the King, then a benefit. Therefore he was forced to hold esteeme of him by whom hee was esteemed, and to cast himselfe into the armes of him that would assist him. And he dispatched also a Currier to the King, with a letter of his owne hand, complaining of the offices, done by his Ambassador and Prelats in *Trent*, contrary to his Ministers in *Rome*, each party saying he doth the commission of his Maiestie. Hee shewed that it was conuenient for the seruice of GOD, of the Apostolike *Sea*, and of his Maiestie, that the Councell should end; and, in conclusion, he desired him to declare himselfe plainely whether he would assist him heerein, or not. The Cardinall did counsell him also, not to be auerse from graunting to the Emperour the Cup, and marriage of Priests, by which meanes he should gaine both him and the King of the *Romans*, not to consent onely to the ending of the Councell, but to be fauourable, and to promote it. Hee told him likewise, that it was necessary to omit the reformation of Princes, because it would prolong the businesse more then any thing besides.

After the departure of *Lorraine*, nine French Bishops parted from *Trent*, and returned home, so that there remained but eight, besides sixe who went with the Cardinall to *Rome*. This departure caused an opinion, that they were

were recalled, and that there was a purpose, at the perswasion of the *Hugonots*, to recall the others, that, the end of the Councell approaching, no French-men might bee present when they should be anathematized. The Legats, to facilitate the difficulties of secret mariage, caused the Diuines who were maintainers and opposers of it, to make a publike disputation. This was neuer done before in any occurrence, and then did so little good, that euery one was more confirmed in his owne opinion. After this, to reassume the Congregations, and to handle the reformation, they gaue foorth the residue of the Articles, the last of which was the reformation of Princes, being forced thereunto by the mutinie of the Prelats. 1563 PIVS 4. FERDINAND. ELIZABETH CHARLES 9. PHILIP 2.

Of which matter concerning Princes hauing often made mention, and now being come to a place, in which it is necessarie to recite it, for the vnderstanding of the things that follow, it must bee knowne that it did containe a proheme, with thirteene Articles, and a very pregnant Epilogue; the substance whereof was. That the Synode, besides the things constituted concerning Ecclesiasticall persons, hath thought fit to correct the abuses of the Seculars, brought in against the immunitie of the Church, hoping that the Princes will be content, and cause due obedience to be rendred to the Clergie. And therefore it doth admonish them to cause their magistrates, officers, and temporall Lords, to yeeld that obedience to the Pope, and constitutions of the Councell, which themselues are bound to performe. And, for facilitation heereof, it doth renew some things decreed by the holy Canons, and Imperial lawes, in fauour of Ecclesiasticall immunitie, which ought to bee obserued vpon paine of *Anathema*. 1. That Ecclesiasticall persons may not bee iudged in a Secular Court, howsoeuer there may be doubt of the title of the Clerkeship, or themselues consent, or haue renounced the things obtained, or for any cause whatsoeuer, though vnder pretence of publike vtilitie, or seruice of the King, nor shall be proceeded against there, in cause of murder, if it be not truly and properly a murder, and notoriously knowne, nor in other cases permitted by the Law, without the declaration of the law going before. 2. That in causes spirituall, of matrimonie, heresie, patronage, beneficiall, ciuill, criminall, and mixt, belonging, in what manner soeuer, to the Ecclesiasticall Court, as well ouer persons, as ouer goods, tithes, fourths, and other portions appertaining to the Church, or ouer beneficiall Patrimonies, ecclesiasticall Fees, temporall iurisdiction of Churches, the temporall Iudges shall not meddle, neither in the *Petitorie*, nor in the *possessorie*, taking away all appeale vpon pretence of iustice denied, or as from an abuse, or because the things obtained are renounced: and those who shall haue recourse to the Secular magistrate, in the causes aforesaid, shall be excommunicated, and depriued of their rights, belonging vnto them in these things. And this shall be obserued also in causes depending in what instance soeuer. 3. That the Seculars shall not appoint Iudges in causes Ecclesiasticall, though they haue Apostolike authoritie, or a custome time out of mind: and the Clerkes who shall receiue such offices from the Laikes, though by vertue of any priuiledge whatsoeuer, shall be suspended from their orders, depriued of their Benefices, and offices, and made vncapeable of them. 4. That the Secular shall not command the Ecclesiasticall Iudge; not to excommunicate without license,

The Articles of the Reformation of Princes.

1563 Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

or to reuoke or suspend the Excommunication denounced, nor forbid him to examine, cite and condemne, or to haue Sergeants, or Ministers for execution. 5. That neither the Emperour, Kings, nor any Prince whatsoeuer, shall make Edicts or Constitutions, in what manner soeuer, concerning Ecclesiasticall causes, or persons, nor meddle with their persons, causes, iurisdictions, or tribunals, no not in the *Inquisition*, but shall bee bound to affoord the secular Arme to Ecclesiasticall Iudges. 6. That the temporall iurisdiction of the Ecclesiastikes, though with meere and mixt power, shall not bee disturbed, nor their subiects drawne to the Secular tribunals, in causes temporall. 7. That no Prince or magistrate shall promise by *Briefe*, or other writing, or giue hope to any to haue a Benefice within their dominions, nor procure it from the Prelates, or Chapters of Regulars, and hee that shall obtaine it by that meanes, shall bee depriued, and vncapeable. 8. That they shall not meddle with the fruites of Benefices Vacant, vnder pretence of custodie or patronage, or protection, or of withstanding discords, nor shall place there either Bayleifes, or Vicars: and the Seculars, who shall accept such offices, and custodies, shall bee excommunicated, and the Clerkes suspended from their Orders, and depriued of their Benefices. 9. That the Ecclesiastikes shall not bee forced to pay taxes, gabels, tithes, passages, subsidies, though in the name of gift, or loane, either in respect of the Church goods, and of their Patrimonial, except in Prouinces, where, by ancient custome, the Ecclesiastikes themselues doe assist in publike Parliaments, to impose Subsidies both vpon the Laitie and the Cleargie, to make warre against the infidels, or for other vrgent necessities. 10. That they shall not meddle with Ecclesiasticall goods, mooueable or immooueable, vassallages, tenths, or other rights, nor in the goods of communities or priuate men, ouer which the Church hath any right; nor shall rent out the depasturing or herbage which groweth in the lands and possessions of the Church. 11. That the letters, sentences and citations of Iudges Ecclesiasticall, especially of the Court of *Rome*, so soone as they bee exhibited, shall bee intimated, without exception, published, and executed; neither shall it bee necessarie to require consent or license, which is called *Exequatur*, or *Placet*, or by any other name either for this, or for taking possession of Benefices, though vpon pretence of withstanding fallhoods, and violences, except in fortresses and those Benefices in which Princes are acknowledged, by reason of the temporalitie; and in case there shall bee doubt of falsitie, or of some great scandall or tumult, the Bishop, as the Popes delegate, shall constitute what hee thinketh needefull. 12. That Princes and Magistrates shall not lodge their officers, seruants, souldiers, horses or dogs, in the houses or Monasteries of the Ecclesiastikes, nor take any thing from them for their foode or passage. 13. And if any Kingdome, Prouince, or place shall pretend not to be bound to any of the things aforesaid, by vertue of priuiledges from the Apostolike See, which are in actuall vse, the priuiledges shall bee exhibited to the Pope, within a yeere after the end of the Councell, which shall bee confirmed by him, according to the merits of the Kingdomes or Prouinces, and, in case they be not exhibited before the end of the yeere, they shall be vnder-

stood to bee of no force. And, for the Epilogue, there was an admonition to all Princes to haue in veneration the things which concerne the Clergie, as peculiar to God, and not to suffer them to bee offended by others, renewing all the constitutions of Popes and holy Canons, in fauour of Ecclesiasticall immunitie, commanding vnder paine of *Anathema*, that neither directly nor indirectly, vnder any pretence whatsoeuer, any thing bee constituted, or executed against the persons or goods of the Clergie, or against their libertie, any priuiledges or exemptions, though immemoriall notwithstanding. 1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

And this is it which was first imparted to the Ambassadors, and, by each of them, sent to their Princes, whereupon the French King gaue the order to his Ambassadors before mentioned. And the Emperor hauing seen them wrot to the Cardinal *Morone*, that he could not possibly assent, either as Emperor, or as Arch-Duke, that they should speake in Councel of reforming the iurisdiction of Princes, nor to take from them authority to receiue assistance and contributions from the Clergie, putting him in minde, that all the former euils did arise from the oppressions attempted by the Ecclesiastikes against people and Princes. That they should beware not to prouoke them more, and cause greater inconueniences to arise. Are distastfull to the Emperour.

After *Loraine* was departed, the French Ambassadours put their protestation in order, to make vse of it if need were. In the Congregation of the two and twentieth of September one of the Fathers made a long speach to shew, that the cause of all deformation proceeded from Princes; that they had more neede of reformation; that the Articles were already in order, and was now time to propose them, that they might not vanish to nothing by delaies. After hee had spoken, the Ambassadour *de Ferrieres* made a long querulous Oration, or, as the Frenchmen say, a complaint. The contents whereof, in the principall points, were. That they might say to the Fathers as the Ambassadours of the Iewes did to the Priests. Ought wee also to continue fasting & lamenting? That there are more then 150. yeres past since the most Christian Kings haue demanded of the Popes a reformation of the Ecclesiastical discipline, that for this end only they haue sent Ambassadors to the Synods, of *Constance*, *Basil*, and the *Lateran*, to the first of *Trent*, & finally to this second. What their demands were, *Iohn Gerson*, Ambassadour in that of *Constance*, the Orations of *Petrus Danesius*, Ambassadour in the first of *Trent*, of *Guido Faber*, and of the Cardinall of *Loraine* in this second, doe testifie: in which nothing was demanded but the reformation of the manners of the ministers of the Church; and notwithstanding this they must still fast and lament, not seuentie yeeres, but two hundred, and God grant they bee not three hundred, and many more. And if any should say, that satisfaction hath been giuen them, by Decrees and *Anathematismes*, they did not thinke that this was to satisfie, to giue one thing in payment for another. If it shall bee said that they ought to bee satisfied with a great bundle of reformations proposed the moneth before, they had spoken their opinion concerning that, and sent it to the King, who had answered, that hee saw few things in it befitting the ancient discipline, but many things contrary. That that is not the plaster of *Isaias*, to heale the wound, but of *Ezekiell*, to make it raw, The speach of *de Ferrieres*.

1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

though healed before. That these additions of excommunicating and anathematizing Princes, was without example in the ancient Church, and did make a way to rebellion; and all the Articles concerning the reformation of Kings and Princes, haue no ayme but to take away the libertie of the French Church, and offend the Maiestie of the most Christian Kings, who, by the example of *Constantine*, *Iustinian*, and other Emperours haue made many Ecclesiasticall lawes, which haue not onely not displeased the Popes, but they haue inserted some of them in their decrees, and iudged *Charles* the Great, and *Lewis* the ninth, principall authors of them, worthy of the name of Saints. Hee added, that the Bishops had, with them, gouerned the Church of *France*, not only since the times of the *Pragmatique*, or *Concordate*, but foure hundred yeeres and more before the booke of the *Decretals*; and that these lawes haue beene defended and renewed by the later Kings, since that the *Decretals*, substituted in place of them, haue derogated from them in the times following. That the King, beeing now of age, would reduce those lawes, and the libertie of the French Church into obseruation, because there is nothing in them contrarie to the doctrine of the Catholique Church, to the ancient Decrees of Popes, nor to the Councels of the Church vniuersall. Hee said moreouer that those lawes doe not prohibite Bishops to reside all the yeere, and to preach euery day, not onely nine moneths, and in the feasts, as was decreed in the last Session; nor forbid them to liue in sobrietie and pietie, and hauing the vse onely, and not the benefite of the reuenues, to distribute them, or rather to render them to the poore, who are owners of them. And hee proceeded in naming other things of the Councell, with the like ironicall manner, that hee seemed to iest at them. Hee added, that the power giuen by God to the King, the lawes of *France*, and the libertie of the French Church, haue alwayes forbid *Pensions*, *Resignations* in fauour or with *Regresse*, *pluralitie* of Benefices, *Annats*, *Preuentions*, and to litigate for the *Possessorie* before any but the Kings Iudges, or for the propriety, or other cause, ciuill or criminall, out of *France*, and forbid also the hindering of appeales, as from abuse, or to hinder that the King, Founder and Patron of almost all the Churches of *France*, may not make vse of the goods and reuenues, though Ecclesiasticall, of his Subiects, for instant and vrgent necessitie of the Common-wealth. He sayd afterwards, that the King marueiled at two things. One, that they, the Fathers, adorned with so great Ecclesiasticall power in the ministerie of God, assembled onely to restore Ecclesiastical discipline, not regarding this, should binde themselues to reforme those whome they ought to obey, though they were stiffenecked. Another, that they should think they can and ought, without any admonition, excommunicate and anathematise Kings and Princes, which are giuen by God to men, which ought not to bee done to any ordinary man, though perseuering in a most grieuous offence. He said, that *Michael*, the *Archangell*, durst not curse the Deuill, or *Micheas*, or *Daniel*, the most wicked Kings, and yet they, the Fathers, were wholly conuersant in maledictions against Kings and Princes, and against the most Christian, if he will defend the lawes of his ancestors, and the liberty of the *Gallicane* Church. His conclusion was, that the King did desire them not to

decree

decree any thing againſt thoſe lawes, or, if they ſhould, that he commanded his Ambaſſadors to oppoſe the Decrees, as then they did oppoſe thē. But if, omitting the Princes, they would attend ſeriouſly to that which al the world expecteth, it would bee moſt acceptable to the King, who did command them, the Ambaſſadours, to further that enterpriſe. Hetherto hee ſpake in the Kings name. Afterwards hee did inuocate the heauen, earth, and the Fathers, to conſider whether the Kings demand were iuſt, whether it were honeſt for them to make orders for themſelues throughout the whole world; whether this were a time to take compaſſion, not vpon the Church, nor vpon *France*, but vpon themſelues, the Fathers, their dignity, reputation, and reuenues, which cannot be preſerued but by the Arts by which they were gained in the beginning; that in ſo great confuſions they muſt bee wary, and not cry when Christ commeth, *ſend vs into the heard of ſwine*; that if they would reſtore the Church to the ancient reputation, compell the aduerſaries to repentance, and reforme Princes, they ſhould follow the example of *Ezekias*, who did not imitate his father, nor his firſt, ſecond, third, and fourth grand-father, who were vnperfect, but went higher to the imitation of his perfect anceſtors; ſo it was not fit at that time to reſpect the next predeceſſors, though very learned, but to aſcend as farre as *Ambroſe*, *Auguſtine*, and *Chryſoſtome*, who ouercame the heretiques, not by arming Princes to the warre, themſelues in the meane while picking their nailes at home, but with praiers, good life, and ſincere preaching. For they, hauing framed themſelues firſt like *Ambroſe*, *Auſtine*, and *Chryſoſtome*, will make the Princes alſo to become *Theodoſij*, *Honorij*, *Arcadij*, *Valentiniani*, and *Gratiani*; which he ſaid they hoped for, and praied God it might be ſo; and here hee ended. The Oration, when it was pronounced, did anger very much, not onely the Papalins, but the other Prelates more, and French-men alſo: and, when it was ended, there was ſuch a whiſpering, that it was neceſſary to finiſh the Congregation. Some did taxe it of hereſie; and others ſaide, it was much to bee ſuſpected, at the leaſt; and others, that it was offenſiue to godly eares. They ſaid, hee had taken occaſion to doe it, in abſence of the Cardinall of *Loraine*, who would neuer haue endured thoſe termes, and that his end was to diſſolue the Councel; that hee did attribute to Kings more then belongeth to them; that hee inferred that the Popes authority is not neceſſary for the vſing of Church goods; that hee made the French King like to the Queene of *England*. But nothing did ſo much offend, as that hee ſaid that the authority of the French Kings ouer perſons and goods Eccleſiaſticall, was not founded vpon the *Pragmatique*, *Concordats*, and priuiledges giuen by Popes, but vpon the law of Nature, holy Scripture, ancient Councels, and lawes of the Chriſtian Emperours.

1563
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

Is cenſured.

The French Ambaſſadours were reprehended alſo, becauſe they did not follow the ſteps of the Emperours and Spaniſh Ambaſſadors, who, though they had the ſame intereſts, made not ſuch a commotion, becauſe they knew there was no reaſon for it. *De Ferrieres* defended himſelfe, & ſaid, that the Legats had promiſed the Cardinall of *Loraine*, that this matter ſhould not bee ſpoken of, but with ſuch moderation, as that it ſhould not touch the affaires of *France*, which was not performed; that the Kings inſtruction had beene

1563 imparted to the Cardinall, who, if he had beene preſent, would not onely haue conſented to, but counſelled a Proteſtation; that thoſe were great *ignorantes*, who hauing ſeene nothing but the *Decretals*, Lawes of foure hundred yeeres, did thinke that there were no Eccleſiaſticall lawes before them; that if any would reforme the King by the *Decretals*, he would reforme them by the Decrees, and lead them alſo to more ancient times, not onely of Saint *Auſtine*, but of the *Apoſtles* alſo; that he did not make the French King as the Queene of *England*, but did oppoſe them, who haue begunne long ſince to enlarge their owne authority, by diminiſhing the Kings; that, if thoſe Articles did ſo much damnifie the Emperour, and Catholique King, as they doe *France*, they would neuer haue beene propoſed, and therefore he was not to take example by thoſe, who haue not equall intereſts. The Arch-biſhop of *Sans*, and the Abbat of *Claraual* were diſtaſted moſt of all, who went vp and downe, ſaying, that the Ambaſſadours had done ill to proteſt, and that their end was to make a confuſion, and giue occaſion for a Nationall Councel in *France*; that they were men not well affected, creatures of the King of *Nauarre*, ſent by him to the Councel, for his owne deſeignes, had proteſted without the Kings commiſſion, & that it was fit to make them ſhew their inſtructions, & to frame an *Inquiſition* againſt thē, as not hauing a good opinion in matter of faith. Wherein great differences did ariſe, between the Ambaſſadours and them. The next day the Ambaſſadors gaue the King an account of the cauſes why they had deferred the proteſtation vntill then, and how they were forced, at that time, to come vnto it, adding, that they would deferre the regiſtring of it in the acts of the Councel, vntill his Maieſty had ſeene it, and commanded them what they ſhould doe.

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The Legats not hauing a copie of the Oration, made a collection of it by the memory of thoſe who had beene moſt attentiue, to ſend it to the Pope; of which *de Ferrieres*, hauing gotten a copie, complained, that many things were expreſſed againſt his intention, and, in particular, where hee named Eccleſiaſticall lawes, it was repeated, ſpirituall lawes, and that Kings might take Church goods at their pleaſure, whereas he had ſaid onely for a neceſſarie cauſe. By this he was forced to giue foorth his Oration, and ſent a copie of it to *Rome*, to the Cardinall of *Loraine*, excuſing himſelfe for not hauing vſed words of ſuch acrimonie as he was commanded in the laſt inſtructions, and in the firſt, which are reconfirmed in thoſe; adding alſo that he thought it neceſſary to obey the King, and was not willing to vndergo the reprehenſions of the Counſellors of Parlament, who would haue taxed him, if in a Generall Councel, matters of ſo great importance had beene determined againſt that which hath beene by them ſo exactly maintayned: beſides, the Kings authority, which hee defended, hauing beene vpheld foure hundred yeeres by the Kingdome of *France*, againſt the war, in oppoſition of it, made by the Court of *Rome*, it was not iuſt that the Fathers of the Counceil, the greater part of whom are Courtiers, ſhould be Iudges of the ancient differences, which the kingdome hath with that Court. He gaue a copie of the oration to the Ambaſſadors alſo, and to as many as did deſire it; and ſome ſaide, that he had pronounced it otherwiſe then it was written. Whereunto hee replyed, that that could not bee ſaid by any that had any meane vnderſtanding

ding of the *Latine*, and that, howſoeuer it was the ſame pronounced, and written, yet if they thought otherwiſe, they muſt remember that the ſtile of the Synod was neuer to iudge of things as they were deliuered in voice, but as they were exhibited in writing, and therefore they ſhould moue no controuerſie herein, or, if they would, himſelfe was to bee beleeued before any other. 1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The oration being publiſhed, it was anſwered in the name of the Synod, by a nameleſſe man. He ſaid, that the French Ambaſſadours had reaſon to compare themſelues to the Ambaſſadours of the *Iewes*, becauſe they had both made an vniuſt complaint againſt God; and that the ſame anſwere might be giuen them, which the Prophet gaue to that people, in the name of God, that if they had faſted and lamented ſo many yeares, or ate and drunk, all was for their owne intereſts; that the Kings of *France* were cauſe of all the abuſes of that kingdome, by naming to Biſhoprickes vnlearned perſons, ignorant in Eccleſiaſticall diſcipline, and more inclined to a laſciuious then to a religious life; that the French-men would not haue a reſolution in the controuerſies of faith, that Chriſtian doctrine might alwaies be vncertaine, and place might be giuen to new maſters, who might rub the itching eares of that vnquiet Nation; that they ſpared not to ſay in thoſe turbulent times, that it belonged to the King, though very young as yet, to diſpoſe of all the gouernment of the Church; that they had ſaid, with aſſeueration, that beneficed men had onely the vſe of the reuenues, whereas in *France* time out of mind they haue carried themſelues for *Vſufructuaries*, making Teſtaments, and receiuing inheritances from their kinsfolke, who die inteſtate; that to ſay the poore are owners of the reuenues, was much contrary to another ſaying in the ſame oration, that the King is Patron of al Eccleſiaſtical goods, and might diſpoſe of them at his pleaſure; that it was a great abſurdity, to ſay, that the King might not be reprehended by a generall Councell, ſeeing that *Dauid* was reprehended by the Prophet *Nathan*, and tooke it in good part; that it did a little ſauour of hereſie to taxe Biſhops of theſe later times, as if they were not true Biſhops. In the end, he ſpake at large againſt the ſaying of the Ambaſſador, that Kings are giuen by God, confuting it as hereticall, condemned by the *extrauagant* of *Boniface* the eight, *Vnam ſanctam*, if he did not diſtinguiſh, that they are from GOD, but by mediation of his *Vicar*. And anſwered

The Ambaſſadour publiſhed an Apologie in anſwer of this writing, as if it had beene made to the Synod; ſaying, that the Fathers could not anſwere them as the Prophet did the *Iewes*; for they demaunded a reformation of the Cleargie, principally in *France*, knowing the defects of it, and not as the *Iewes*, to whom the cauſe of their faſting and lamentaion was imputed, becauſe they were ignorant of their owne defects; that the Fathers, aſcribing the cauſe of the Eccleſiaſticall deformation to their Kings, ſhould take heed they did not like *Adam*, who laid the blame vpon the woman, which God had giuen him for company; ſaying, it was a great fault in the Kings to preſent vnworthy Biſhops, but a greater in the Popes to admit them; that they had deſired the reformation before the doctrine, not to leaue it vncertaine, but becauſe, all Catholikes conſenting therein, they thought it neceſſary to Which cauſeth him to make an Apologie.

begin

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

begin with corrupted manners, the fountaine and ſource of all hereſies; that he was not ſory hee had ſaid, that, in the Articles propoſed, there are many things repugnant to the ancient decrees, yea he would adde, that they did derogate alſo from the conſtitutions of the Popes of latter times; that hee had ſaid that *Charles* the great, & *Lewis* the ninth, had conſtituted Eccleſiaſticall Lawes, by which *France* had beene gouerned, not that the preſent King did meane to make new, and if he had, he had ſpoken conformably to the holy Scripture, the ciuill lawes of the *Romans*, and to that which the Eccleſiaſticall authors, *Greeke*, and *Latine*, doe write, before the Booke of the decrees; for ſaying that beneficed men had onely the vſe of the reuenues, he asked pardon, becauſe he ſhould haue ſaid that they were onely Adminiſtrators, and that thoſe who take his ſaying in ill part, muſt complaine of *Ierom*, *Auſtin*, and the other Fathers, who did not ſay onely, that the Eccleſiaſticall goods did belong to the poore, but that Clergie men, like ſeruants, did gaine all for the Church; that he neuer ſaid that the King had free power ouer Eccleſiaſticall goods, but that all did belong to the Prince, in time of inſtant and vrgent publike neceſſity, and he that knew the force of thoſe words, did vnderſtand well, that, in ſuch a time, neither requeſt, nor authority of the Pope could take place; that he had reprehended the *Anathema* againſt Kings in that manner as it was ſet downe in the Articles, and did grant that Princes and magiſtrates might bee reprehended in that ſort as *Nathan* did, but that they ſhould not bee prouoked with iniuries and maledictions; that hauing incited them, by the example of *Ezekias*, to make a reformation, according to the patterne of the ancient times, it could not be inferred that he did not thinke the Biſhops of the laſt times to be lawfull, knowing very well that the *Phariſes* and *Popes* ſit in *Moyſes* chaire; that in ſaying the power of Kings commeth from God he hath ſaid abſolutely and ſimply, as the Prophet *Daniel*, and *Paul* the *Apoſtle* haue written, not remembring the diſtinction of *meditate & immeditate*, not the Conſtitution of *Boniface*, of which if he (being a French-man) had thought, he would haue repeated what the Stories ſay of the cauſe and beginning of that *extrauagant*.

The gouernment of *France* is taxed by the Fathers.

This Apologie did not diminiſh the bad opinion conceiued againſt the Ambaſſadours, but increaſed it rather, it being (as they ſaid) not an excuſe of the error committed, but a pertinacie in maintaining it. And many diſcourſed not ſo much againſt the Ambaſſadours, as againſt the kingdome. They ſaid, it did plainly appeare of what mind they were who managed the affrires of *France*. They noted the Queene mother, that ſhee gaue credit to the *Chaſtillons*, eſpecially to him that had quitted the Cardinals Cap; that the *Chancelor* and the Biſhop of *Valence* had two much power with her, at whoſe inſtance that vnlucky checke had beene giuen to the Parliament of *Paris*, with the detriment of Religion; that ſhe had inward familiarity with *Curſor*, and with his wife, whom, in reſpect of their religion, ſhe ſhould not haue endured to looke vpon; that the Kings Court was full of *Hugonots*, exceedingly fauoured; that ſollicitation was ſtill vſed to ſell Eccleſiaſticall goods, to the great preiudice of the Church; and other things they ſaid of this nature.

But while the Councell was in this motion, by meanes of theſe differences, the

ces, the Count of *Luna*, according to his vse, to adde difficulties to those which were proposed by others, made instance for the abrogation of *Proponentibus Legatis*. A thing which did much trouble them, because they knew not how to content him, without preiudice of the former Sessions. For not onely the reuocation, but euery modification or suspension, did seeme to bee a declaration, that they had not lawfully proceeded in the things past. But the Ambassadour, seeing nothing done concerning his demand, so often made, said, that hitherto he had negociated modestly, but should bee forced to alter his course; and spake more boldly, because the Pope, vpon his former instances, had written that they should doe that which was conuenient, and did wholly referre himselfe vnto them. The Legates, to bee quit of his importunitie, answered, that they would leaue it in the libertie of the Councell to make the declaration, if he thought good; & so the name of libertie of the Councell did serue to couer that, which did proceed from others. For the Legates did at the same time vse strong perswasions with the Prelates their friends, that a delay might be interposed, to deferre this particular to the end of the Councel, and to enioy the benefit of time, that some ouerture might bee made to some course lesse preiudiciall. But the Count, hauing discouered the practises, prepared a protestation, desiring the Emperours, French, and Portugal Ambassadours to subscribe it; who perswaded him not to be so earnest, at that time. For *Morone*, hauing promised the Emperour, that prouision should be made herein before the end of the Councel, vntill it were vnderstood whether that would be performed or not, they knew not how he could protest concerning the other. And Cardinall *Morone*, to pacifie the Count, sent *Paleotto* often to negociate with him, in what maner his request might be granted: which himselfe did not well vnderstand; because his meaning was not to preiudice the decrees past, and, with this condition, it was hard to finde a temper. In conclusion, the Legates gaue the Count their word that the declaration should be made in the next Session, so that a meanes were found to satisfie the Fathers.

1563
Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.
The abrogation of *proponentibus Legatis* is promoted againe.

Newes being come to *Rome* of the French protestation, the Pope, and the whole Court were wonderfully moued, thinking it was purposely done to dissolue the Councel, and imputed it vnto them. But the Pope complained aboue all, that while the King did demaund a fauour, and a graunt of a hundred thousand crownes of the reuenewes of the Clergie of *France*, his Ambassadours should say, in the face of the whole Councel, that hee might take them without him. And the Cardinall of *Loraine* was troubled more, because he thought it would be a great crosse to his negotiation with his Holinesse. He laboured to make it appeare, that this did happen against his will, and that he would haue diuerted it, if he had been in *Trent*, that that instruction was a remnant of the Councels taken in the life time of the King of *Nauar*, and the execution procured by the dependants of that faction, of which *de Pereres* was one; that that faction, though it professed the Catholique religion outwardly, did hold strict intelligence with the *Hugonots*, who desired a dissolution of the Councel without a quiet end, that they might not be anathematised. But hee saide, that those who gouerne the affaires in *Trent*, were not without blame, in regard, that before his departure from that Citie, the

things

1563
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

things concerning that matter stood in good tearmes, the Legates hauing promised two things, with which the Ambassadours were contented. One, that they would not speake of Kings, and Soueraigne Princes, but only of certaine little Lords, who grant to Bishops no exercise of Ecclesiasticall iurisdiction; the other, that all things depending on graces done by the Pope, should be excepted, as *indulgences*, priuiledges, and graunts of the holy *See*, & notwithstanding, since his departure, they had giuen to the Fathers the first forme, with the same things in it, which they had promised to take away. But he assured his Holinesse, that, notwithstanding this, the Councel should haue a quiet end, and promised to write to the King, and complaine of that which was done, and to vse meanes that the Ambassadours should returne to *Trent*, which he hoped to obtaine.

According to this promise, he wrote into *France*, and to the Ambassadours. These he told that their action had his excuse, that it was done, but that hereafter they should continue in doing their duty, without making any more innouations. He wrote to the King, that the opposition made by the Ambassadours seemed vnto him very strange, and the rather, because they had done it without his priuitie, and that there was neither reason, nor occasion for it; that his absence from *Trent* was the cause why the Ambassadours had applied, out of season, a sharpe plaster to a small sore; that, at his returne, he would make prouision therein with great ease. But because things done alreadie could not be vndone, he praied his Maiestie to write to the Ambassadours, to continue in doing their dutie, and to abstaine from violent courses. He added, that he found the Pope well inclined, and disposed to an holy and serious reformation of the Church; that Christendome was happy in hauing so woorthy a *Paston*; that hee sent him backe to *Trent*, so well instructed of all his holy intentions, for the ending and conclusion of the Councel, that he might hope for an happy successe. And because, in the end of the Councel, the decrees must bee subscribed by the Fathers, and Ambassadours, who haue assisted in the name of their Princes, hee desired the King to cause his Ambassadours to returne, that they may bee present, and accomplish that which is the complement of the protection, and of all the fauours done to the Councel by his Maiestie, by his Brother, Father, and Grandfather.

The Cardinall had much adoe to defend himselfe, not onely with the Pope, but with the Colledge of Cardinalls also in Consistory; who said, that Princes desired the liberty of the Councel, yet not in the least and iustest thing that concerne them, but onely for the destruction of the Ecclesiastiques. The Pope gaue order that better consideration should bee had of that which was to bee written to *Trent* about that reformation, saying, hee did it, not to meddle in the affaires of the Councel, because hee meant to let the Fathers alone, but onely to instruct the Legates, by way of counsell. But, in the meane while, hee wrote to the Legates, that if the French-men would depart, they should doe it, but that they should not giue them occasion, but should be very carefull to hold the Session at the time appointed, when *Loraine* should be returned, and to finish the Councel with one Session more, holding it within two or three weekes at the most; and that they should

conceale

conceale this order, imparting it to none but to *Loraine*. And if the Emperours Ambassadours should moone them, they should answere, that, in the arriuall of that Cardinal, they would resolue what to doe. And he encouraged them, saying, that hee had brought *Germanie* and *France* to his purpose, and that nothing remained but *Spaine*, which answered, that it was not good to finish the Councel, because many things, and the most principall did remaine to be handled. Notwithstanding he had hope, he said, to reduce it, and to conclude the Synode, with a generall satisfaction. And indeede hee was secure of *France* and *Germanie*. For besides his treatie with *Loraine*, who did abundantly secure him of *France*, he receiued at the same time a resolution from the Emperour, that he was content with the end, and would promote it. And howsoeuer his *Nuncio* aduised that his Maiestie was doubtfull in resoluing, and that there was danger he would change, yet, vnderstanding that the King of the *Romanes* was authour of the resolution, saying, that it was good to finish it, because it did no good, nor gaue any hope that it would doe, he was assured that that King, mooued by himselfe, and by good reason, would persеuere in his purpose, and, by consequence, keepe his father in that opinion. 1563

PIVS 4. FERDINAND. EDWARD. CHARLES. PHILIP.

But the French Ambassadours, after the Oration, did no more appeare publiquelie in *Trent*. They let those few Prelats remaining know, that the Kings pleasure was that they should oppose the fifth Article and the second, because the persons, and causes of *France* might, by vertue of those two, be drawen to litigate out of the Kingdome; and the nineteenth, because by it, the *preuentions* were canonized, and the Parlaments depriued of their prerogatiues, in matter of benefices.

The Legates, so soone as the Fathers had made an end of speaking of the 21. Articles, proposed vnto them the others also; wherein all the Ambassadours opposed, in regard of the matter concerning Princes. The Fathers complained, that, being to reforme, as alwaies hath been said, all the Church, in the Head and in the members, in the end, the Princes would haue no reformation but for the Clergie onely; which could not be reformed neither, if the Prelates were hindered in performing their charges, and the Ecclesiasticall liberty not preserued. Notwithstanding, the Princes, who seemed to desire reformation, did oppose that decree which did restore vnto them their liberty and iurisdiction, necessarie for it. The Legates excused themselues, and said, they must needs giue some satisfaction to the Prelates; that the Ambassadours had had time to alleadge their grieuances, and to handle the cause with reason, and that it was too much violence to oppose onely *de facto*, and to shew that the Councel is onely for reformation of the Clergie, and not of the whole Church.

The Emperors sickn-sse troubleth the Fathers.

Newes came at the same time, that the Emperour was very sicke, and his Ambassadours said, that, in case he should die, the Councell would not be secure, because the safeduct would be ended. The Legates sent presently to the Pope, for order what to doe, and the Prelates began to thinke more of parting from *Trent*, then reforming Princes. Therefore a Congregation was holde the seuenth of October, to resolue what should bee done with the other Articles of Reformation, besides the one and twentie, and especially

with

1563 with that which concerneth Princes. In which, after long discussion, it was concluded that the Session should be celebrated with the matter of Matrimonie, and the 21. Articles of reformation, and that of the Princes should be deferred. The next day the French Ambassadors parted from *Trent* to *Venice*, according to the Kings order.

Pius 4. Ferdinand. Elizabeth Charles 9. Philip 2.

The French Ambassadors goe to *Venice*.

The Pope, though well satisfied of *Loraine*, and of the French-men, his dependants, yet prouoked against that faction from which he thought the motiue of the protestation, made in Councel, came, hee resumed his determination, made at the time of the Edict of pacification with the *Hugonots*, to proceede in *Trent* against the Queene of *Nauarre*: which he had put off, foreseeing that the Emperours Ambassadors would oppose, as they did when mention was made of proceeding against the Queene of *England*, and resolued to put it in execution in *Rome*. And the thirteenth of the moneth hee caused a sentence to be published against the fiue French Bishops formerly cited, as hath beene said, and a citation to bee affixed to the gates of Saint *Peters* Church, and in other publike places, against *Iohan* Queene of *Nauarre*, the widow of *Antonie*, that, within the terme of sixe moneths, she should appeare, to defend her selfe, and to shew reasons why she should not be depriued of all her dignities, States, and Dominions, and the marriage betweene *Antonie* of *Vandome*, and her, made void, and the issue illegitimate, and that she had not incurred other penalties, declared by the Canons, against heretikes. The Cardinall of *Lorraine*, before the Pope came to those sentences, and processe, vsed perswasions to him, and put him in mind, that the *maximes* held in *France* did much differ from those of *Rome*. For it would be ill taken in that kingdome, that the causes of BB. in the first instance should be iudged in *Rome*, and that the citation against the Queene, as well for the same cause, as in regard it was with temporall punishments, would giue matter of talke, and bad satisfaction to many. But those perswasions being vnderstood by the Pope, as they were made, brought forth no other fruit, but that which the Cardinall did secretly desire. For the conference, which the Queene Mother so much desired, by euery Currier that came from her, new instance was made to the Pope. But newes came from the Emperors Court, that he would not hearken vnto it; and out of *Spaine*, though complementall words of the Kings desire to haue it effected, yet a resolution that the times and coniectures did not comport it. The Cardinall of *Loraine* was of opinion, that howsoeuer there was no hope, yet the Pope should not forbeare to send expresse *Nuncij* for this purpose, as beeing an office whereon many other negotiations, for the seruice of the Apostolike *Sea*, might depend; and, in particular, to remooue impediments of the conclusion of the Councel, in case any should arise. Whereupon *Visconte* was dispatched into *Spaine*, and *Santa Croce* into *Germany*, in shew, to treat of this conference, but indeed, with other particular instructions.

The proceeding against 5. BB. of *France*, and of the Q. of *Nauarre*.

In *Trent*, the Legats, being not willing to giue occasion of any difficultie while the Session was expected, did propose *Indulgences*, *Purgatorie*, worshipping of Saints and images, not to publish the Decrees in the next Session, but in the other following, adding the manner how the Diuines ought to handle those matters, that is, to giue their opinion in writing only concerning

the

the vse of them, and not to speake of the other Articles, and giuing order to the Fathers to deliuer their voyces in short termes, protesting that whosoeuer would delate besides the point, should be interrupted. Notwithstanding the Diuines made long writings, and so diuers, that the Fathers knew not what to resolue in that doctrine. 1563 Pivs 4 Ferdinand. Elizabeth. Charles 9. Philip 2.

For the reformation, howsoeuer twentie Articles were concluded, and the one and twentieth treated on with the Count of *Luna*, the Spanish Prelates complained that the Article of the exemption of Chapters, and the last, of the first instances, and appeales, were altered from that which was noted by the Prelats. Whereat the Legats, and Deputies for making the Decrees, disdaining, answered, that either they should iustifie what they saide, or holde their peace. And some words of distast passing, the Count of *Luna* appeared in their fauour, demanding that the oppositions made by his Prelates against those two Articles might bee considered on. Afterwards, he desired that in the fifth Article, in which the criminall causes of Bishops were reserued to the Pope, a declaration should be made, that no preiudice should bee done to the *Inquisition* of *Spaine*; which request the Ambassador of *Portugal* had first made for his kingdome. And the Legates answering, that those matters were alreadie decided, the Count replyed, that if they should be proposed so, he would not go into the Sessiō, nor suffer any of his Prelats to enter. Whereupon Cardinal *Morone* said, that if they would not go into the Session, it should be done without them. The Count ascribing this rigiditie of the Legats to the Proctor of the Chapters of *Spaine*, he commanded him to depart immediatly from *Trent*; which displeased the Legats. But that nothing might hinder the Session, the time whereof did draw nigh, to please the Ambassador in the Article of the causes of Bishops, they caused kingdoms, where the *Inquisition* was, to bee excepted. For that of the first instances, because they would wholly take from the Pope all authoritie to make commissions in *Rome*, the Legates thought it too hard. The sixt also did import very much. For the Chapters of *Spaine* are a very principall member, and doe more depend on the Apostolike *Sea* them Bishops doe; because these are all by the nomination of Kings, whereas more then halfe of the Canonries are of the Popes pure collation. Therefore they resolued to deferre this matter vntill the next Session, rather then to preiudice the Canons. And they imployed the Emperours Ambassadours to perswade the Count to be content with it; by which meanes that difficultie also was ouercome.

The declaration of *Proponentibus Legatis* did remaine. For which not being able to finde a temper, they tolde the Count, that hee should propose a forme how he would haue it done. Wherein hee excusing himselfe, they deputed three Canonists to treat with him, and to find a meanes that might please him, so that it were not to alter the way prescribed by the Pope. But the Cardinall of *Lorraine* came fitly for that occasion; who, being parted from *Rome* with instruction and conclusion of all things, and hauing rooke *Venice* in his way, to perswade the Ambassadours to returne before the ende of the Councell, and now arriued in *Trent*; caused, with his dexteritie, the Count to approoue that manner, by which that difficultie, so much agitated, receiued an end, with satisfaction of all; and it was made the one and twentieth Article

The Card of *Loraine* returneth to *Trent*, and hastenth the end of the Councell.

1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

of reformation, propoſed in the Congregation of the ninth of Nouember held for this purpoſe, and approoued with ſmall reſiſtance. After this, the ſecond Article was taken away; which being done, all the Articles were read ouer againe, and the ſuffrages briefly deliuered. In which, *Lorraine*, to ſalue his honour, ſaid, that howſoeuer he deſired a greater reformation, yet, knowing that in the beginning one could not come to the laſt remedies, hee aſſented to the Decrees, not iudging them ſufficient, but hoping that the Pope, either by bringing the old Canons into vſe, or by celebrating other generall Councels, would adde a perfection.

He maketh an Otation in praiſe of the Pope.

It is worthy of memorie that, in this Congregation, hee made a long digreſſion, in forme of an encomiaſticall Oration, of the Popes good will, of his deſire to ſee the Church reformed, the Epiſcopall degree reſtored to its ancient dignitie, and the Councell ended, with the fruit of all Chriſtendome. The Arch-biſhop of *Granata*, when it was his turne to ſpeake, brake out into the Popes commendation alſo, attributing as much vnto him as the other, but added, that either the Pope did iudge that he could not doe as he would, or had not authority to make his miniſters and dependants to execute his will. Here I muſt make a great mutation of ſtile. For whereas in the former narration I haue vſed that which is proper to deſcribe varietie of minds, and opinions, one croſsing the deſignes of another, and delayes of reſolutions interpoſed, framing my ſelfe to declare the counſels of diuers, ſometimes contrary amongſt themſelues, hereafter I muſt make relation of one aime only, and vniforme operations, which ſeeme rather to flie, then run to one only end: whereof I can giue but one cauſe, not to repeate it in all places, that is, the ioynt reſolution to precipitate the Councell.

The ſtate of the Councel is quite altered.

Therefore to ſpeake ſimply, I muſt ſay, that letters came from the Pope, with reſolution that the Councell ſhould bee ended, though with diſtaſt of the King of *Spaine*, becauſe hee had meanes to make an agreement with him; that they ſhould eſtabliſh the Decree of ſecret marriage, with as much vnion as was poſsible, but yet to doe it, though the ſame oppoſition ſhould continue; that, for the reformation of Princes, and reſtitution of Eccleſiaſticall iuriſdiction and libertie, they ſhould not deſcend to any particular, but renew the ancient Canons, and without *Anathemaes*; that if any difficultie did ariſe, concerning the other Articles, they ſhould reſerue it for him, who would make prouiſion therein; referring them, for the reſidue, to the Cardinall of *Loraine*, who was fully informed of his whole will, whom they ought to beleeue. Afterwards, hee ſent a forme in what ſort they ſhould finiſh the Councell; which did containe, that all things done vnder *Paul* and *Iulius* ſhould be confirmed, and declared that they were all done in this one Councell, and that, in all things, the authoritie of the Apoſtolike *Sea* ſhould be preſerued; that of the things decreed the Popes confirmation ſhould be demanded; that all the Fathers ſhould ſubſcribe, and, after them, according to the example of the ancient Emperours, there ſhould be a ſubſcription of the Ambaſſadors, that the Princes might bee bound to the obſeruance of the Decrees, and to perſecute with Armes thoſe of the contrary religion; leauing it in the power of them, the Legats, together with *Loraine*, to adde, diminiſh, or alter, according to opportunite. All which things were

were kept most secret vntill after the Councel, that they might manage them the better, as shall bee said. 1563

The eleuenth of Nouember came, in which the Session was held with the vsuall ceremonies. Voyces beeing to bee giuen in the matter of clandestine marriage, Cardinall *Varmiense*, who held it a matter of faith, and thought the Church had no authoritie ouer it, would not bee present, excusing himselfe, that in a matter of positiue law, he thought it not conuenient to deliuer his minde freely, though the contrarie were decreed, but in this hee should bee forced to say; for satisfaction of his conscience, that the Synod could not make that decree; which might haue caused some distastes, such as hee was not willing to giue. *Francis Richardot* made the Sermon; in which hee admonished the Fathers, that, this most holy Synod hauing been in trauaile these two yeeres, and euery one beeing in expectation of what it will bee deliuered, it was not fit it should produce a mangled or maimed childe, because the worlde doth expect a sound and perfect issue. For effecting hereof, it was conuenient to imitate the Apostles, Martyrs, and Primitiue Church, making them a patterne whence to take the lineaments of the infant which is to come into the world. These were (hee said) doctrine, religion and discipline, all which, beeing degenerated in these times, must bee restored to their ancient integritie. And that this is it which hath been expected so long, and is expected still. The ceremonies being ended, the letters of Madam, Regent of *Flanders*, concerning the sending of three Prelates to the Councell, were read, as also the Mandates of the Duke of *Florence*, and of the grand Master of *Malta*. Afterwards the doctrine and the *anathematisms* of matrimonie were read by the *Masse* Bishop; to which all consented. The Articles of reformation of Matrimony beeing read, to the first, of the annullation of the clandestine, Cardinall *Morone* said, that it pleased him, if it pleased the Pope. *Simoneta* said, it did not please him, but referred himselfe to the Pope. Of the others sixe and fifty did absolutely denie, and all the rest did approoue it.

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The Session.

Varietie of opinions about clandestine marriages.

Afterwards the Decrees of reformation were read. And beeing come to the fifth, of the criminall causes of Bishops, perceiuing the Kingdomes, where the Inquisition is, were excepted, a great commotion was raised amongst the Fathers, the Lombards and Neapolitans saying confusedly, that that exception was neuer proposed in Congregation, and that it ought to bee remooued; which they were forced presently to doe. Afterwards, the Cardinall of *Loraine* sayd, concerning the same point, that hee did approoue the Decree, vpon condition that it did not preiudice any of the priuiledges, rights, and constitutions of the Kings of *France*, as had been concluded in the Congregation the day before, declaring that they did not preiudice the authoritie of any Prince. And, in the end of the Decrees, hee made a protestation, in his owne name, and of the other French Prelates, wholly conformable to that other, made two dayes before, in the Congregation; that is, that their nation did receiue those decrees, not as a perfect reformation, but as a preparation to one entire, hoping the Pope would supplie the defects in time, and occasion, by bringing into vse the old Canons, or by celebrating other generall Councels, to giue a perfection to

The Decrees of reformation.

1563 the things begun. And hee desired, in the name of all the French Bishops, that this might bee inserted in the Actes of the Councell, and a publique instrument made of it. Diuers other things were added by others, and some oppositions, of no great moment, made against some of the Articles; wherein some differences arising, it was said, they should be accommodated in a generall Congregation, because it was then late, 2. houres within night. And for the conclusion of the Session, the Decree of the intimation of the next, for the ninth of December, was read, with power to anticipate; declaring that the sixth Article now deferred, and other Articles of reformation exhibited, and other things belonging thereunto, should then bee handled; adding, that in case it shall seeme fit, and the time comport, some doctrines may be handled, as they shall bee in their times proposed in the Congregations.

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The doctrine of the Sacrament of Matrimonie did containe. That *Adam* did pronounce the bond of Matrimonie to bee perpetuall, and that onely two persons may bee ioyned therein; a thing more plainely declared by Christ, who also by his passion, hath merited grace to confirme it, and to sanctifie those who are ioyned. Which is intimated by Saint *Paul*, when hee sayd, that this was the great Sacrament in Christ and the Church. Whereupon Matrimony in the Euangelicall Law, exceeding the ancient marriages, by addition of grace, it is iustly numbred amongst the Sacraments of the new law. Therefore the Synode, condemning the heresies in this matter, doth constitute the *Anathematismes*. 1. Against him that shall say, that Matrimonie is not one of the seuen Sacraments, instituted by Christ, and doth not conferre grace. 2. Or that it is lawfull for Christians to haue many wiues at once, and that this is not forbidden by any Law of God. 3. Or that onely the degrees of affinitie, and consanguinity, expressed in *Leuiticus* may nullifie the marriage, and that the Church may not adde others, or dispence with some of them. 4. That the Church cannot constitute impediments, or hath erred in constituting them. 5. That one of those who are married may dissolue the Matrimony, for heresie, troublesome conuersation, or voluntary absence of the other. 6. Or that lawfull matrimonie, not consummated, is not dissolued by a solemne religious vow. 7. Or that the Church hath erred in teaching, that the matrimoniall bond is not dissolued by adultery. 8. Or that the Church doth erre, in separating those who are married for a determinate or indeterminate time, in respect of carnall coniunction, or cohabitation. 9. Or that the Ecclesiastiques of holy *Order*, or professed Regulars may marry, as also all those who finde they haue not the gift of chastitie, in regard that God doeth not denie the gift to him that doeth demaund it. 10. Or that shall preferre the state of mariage to virginitie, and chastitie. 11. Or that the prohibition of marriage, in certaine times of the yeere, is superstition, or shall condemne the benedictions and other ceremonies. 12. Or that matrimoniall causes doe not belong to Ecclesiasticall Iudges.

The Decrees of the reformation of Matrimony did containe. 1. That howsoeuer it be true, that clandestine mariages haue beene true and lawfull, so long as the Church hath not disallowed them, and that the Synode doth *anathematize* him who doth not hold them for such, as also those who affirme,

affirme, that mariages, contracted without consent of parents, in whose power the maried parties are, is voide, and that the Fathers may either approoue or disprooue it, yet the Church hath euer forbid, and detested them. And because prohibitions doe no good, the Synode doth commande, that the matrimony shall be denounced in the Church three Festiuall daies, before it bee contracted, and no impediment being found, shall bee celebrated in the face of the Church; where the Parish Priest hauing interrogated the man and the woman, and heard their consent, shall say, *I ioyne you in matrimony, in the name of the Father, Sonne, and holy Ghost*; and shall vse other words, accustomed in the Prouince. Notwithstanding the Synode doth referre it to the will of the Bishop, to omit the *Banes*, but doth declare tholote bee vncapable of mariage, who attempt to contract it without the presence of the Parish Priest, or another Priest of equall authority, and of two or three witnesses; making void and nullifying such contracts, and punishing the transgressours. Afterwards, it doth exhort the parties maried, not to dwell together, before the benediction, and commande the Parish Priest to haue a booke, in which mariages, so contracted, shall be written. It doth exhort the parties that are to be maried, to confesse, and communicate before the contract, or consummation of the mariage; reserueth the customes and ceremonies of euery Prouince, and will haue this Decree to bee of force within thirtie daies after it shall be published in euery Parish. 1563

Pius 4. FERDINAND. ELIZABETH. CHARLES 9. Philip 2.

The Decree of Reform.

Secondly, concerning the impediments of mariage, the Synode doth affirme, that the multitude of prohibitions did cause great sins and scandalls. Therefore it doth restraine that of spirituall cognation, to that which the baptized and their parents haue with the god-fathers and god-mothers, and the number of these, to one man & one woman only. Ordaining the same about the kinred which doth arise by the sacrament of Confirmation. 3. It doth restraine the *impediment of honestie*, which hath its beginning from contracts, to the first degree onely. 4. That of affinity by fornication, to the first and second. 5. It doth take away all hope of dispensations for matrimony, wittingly contracted in degrees prohibited; and to those who haue ignorantly contracted, without the solemnities, in case of probable ignorance, a dispensation may be giuen *gratis*. But to contract in degrees prohibited, a dispensation shall neuer bee granted, or seldome onely, for a iust cause, without coste; nor in the second degree amongst Princes, except for a publique cause. 6. Matrimony shall not bee contracted with a woman stollen away, so long as shee is in the power of him that did steale her; and doth declare those *Raptors*, and those that doe assist them with counsell, aid, or fauour, excommunicated, infamous, vncapable of all dignity; and the *Raptor*, whether hee mary the woman or not, shall bee bound to giue her a dowry, at the pleasure of the Iudge. 7. It doth ordaine, that vagabonds shall not marry, without a diligent inquisition first made, and licence of the Ordinary, exhorting the secular Magistrates to punish them seuerely. 8. It doth ordaine against *Concubinaries*, that being admonished thrice by the Ordinary, in case they seperate not themselues, they shall be excommunicated; and persetuering one yeere after the censure, the Ordinarie shall proceed seuerely against them, and the *Concubines* after three admonitions, shall be pu-

1563 nished, and, if the Bishop shall thinke fit, chased also out of the Territorie, by assistance of the secular power. 9. It commandeth euery temporall Lord, and Magistrate, vpon paine of excommunication, not to compell their subiects, or any others, to marry, directly or indirectly. 10. It doth restraine the ancient prohibitions of nuptiall solemnities, from *Aduent*, to the *Epiphany*, and from *Ash-wednesday*, to the *Octaues* of *Easter*.

Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

The Decrees of Reformation.

The Decrees of reformation, not as they were read in Session, but as they were corrected the next day in Congregation (which was appointed to be done) did containe. 1. That publike prayers shall be made, though the Church be vacant; that whosoeuer haue right in the promotion, shall be admonished that it is a mortall sinne, if they shall not vse all diligence to promote the most worthy, and profitable for the Church, borne of lawfull matrimony, worthy in regard of their life, age, doctrine, and of other qualities required by the holy Canons, & Decrees of this Councel. That in euery prouinciall Synod, a forme of examination shall be prescribed, by approbation of the Pope, fit for euery place, & the examinatiõ made according to that prescript shall be sent to the Pope, to be discussed by the Cardinals, & proposed in Consistorie; and all other things required by the Synod for age, life, doctrine, & other qualities in the promotion of BB. shal be required in the creation of Cardinals, though but Deacons, which the Pope, if he can conueniently, shall take out of all Nations, and those that are fit. And it was added, that the Synod being grieued to see such great incommodities of the Church, cannot choose but call to mind, how necessary it is, that the Pope, in regard of his duty, should endeauour to assume Cardinals of excellent worth, and to prouide the Church of fit Pastours, because if the flocke should perish by their negligence, Christ will demand an account of his Holinesse. 2. That the prouinciall Councel shall be called by the Metropolitane, or, the most ancient Suffragane, within one yeere at the most after the end of this Synode, and afterwards euery two yeeres at the least. That Bishops shall not bee forced hereafter to goe to the Metropolitane Church. That those who haue not an Arch-bishop shall elect one in the prouinciall Synod, in which hee ought to assist, and receiue the constitutions thereof, their exemptions and priuiledges otherwise remaining firme. And the Diocesan Synods shall bee celebrated euery yeere, in which the exempted, except those who are subiect to general Chapters, shall assist. Which generall Chapters hauing secular Churches annexed, in regard of them, shall assist also. 3. Bishops shall bee bound to visite the Dioceese euery yeere, either in person, or by visitors, and all of it, if they can, or, if it be large, in two yeeres at the least. Metropolitans shall not visite the Dioceese of the Suffragans, but for a cause, approoued in the prouinciall Councel. The Arch-deacons, and other inferiours, shall visite in person, and shall take a Notary, by consent of the Bishop. The Visitors shall goe with a modest traine of men, and horses, dispatching the visitation as soone as may bee; and shall not receiue any thing but frugall and moderate diet, which may be giuen either in kind or money; yet so, as that if there bee a custome in any place not to receiue so much as these, it shall be obserued also. That Patrons shall not meddle with that which concerneth the administration of Sacraments, or the visitation

of the

of the ornaments of the Church, immoueable goods, or rents of houſes, except it do belong vnto them by right of the foundation. 4. That Biſhops ſhall be bound to preach in perſon, or, hauing a lawfull impediment, by others. And in caſe the Pariſh Prieſt be hindred that he cannot preach in his owne Church, he ſhall, at his charge, maintaine another to doo it, deputed by the Biſhops. And he ſhall preach euery Sunday and ſolemne feaſt, and in *Aduent* and *Lent*, euery day, or thrice a weeke at the leaſt. That the Biſhop ſhall admoniſh euery one to go to his owne Pariſh, to heare the ſermon. That none ſhall preach againſt the Biſhops will, whoſe cure ſhall be, that Chriſtian doctrine be taught in euery Pariſh. 5. That criminall cauſes againſt Biſhops that be of great weight, ſhall be iudged by the Pope, and if there ſhall be occaſion to commit them to any out of the Court, they ſhall be committed onely to the Metropolitan, or to Biſhops elected by the Pope, and to take information onely, reſeruing the definitiue to the Pope: but ſmall matters ſhall be iudged in the Prouinciall Councell, or by iudges deputed by them. 6. That the Biſhops ſhall diſpence, in the Court of Conſcience, with al their ſubiects, in all their irregularities, and ſuſpenſions for ſecret offences, except voluntary murther, and abſolue from all caſes reſerued to the Apoſtolike *Sea*, either by himſelfe or his Vicar, as alſo from the exceſſe of hereſie, by himſelfe, but not by a Vicar. 7. That the Biſhop ſhall haue care that the force and vſe of the Sacraments ſhall be expounded to the people in the vulgar tongue before they be adminiſtred, according to the forme of a Catechiſme, which the Synod will compoſe, which the Biſhop ſhall cauſe to be faithfully tranſlated into the vulgar, and to be expounded to the people by the Pariſh Prieſts. 8. That to publique offenders publique Penance ſhall be giuen; but the Biſhop ſhall haue power to change it into a ſecret. In euery Cathedral Church a *Penitentiarie*, Maſter, Doctor, or Licentiate in Theologie, or Canon, of the age of forty yeares, ſhall bee appointed by the Biſhop. 9. That the decrees of the Councell, vnder *Paul* the third, and *Pius* the fourth, concerning viſitation of benefices exempted, ſhall be obſerued in the Churches which are not of any Dioceſſe, which ſhall be viſited by the next Biſhop, as Delegate of the Apoſtolike *Sea*. 10. That where viſitation or correction of manners is in queſtion, no exemption or appeale, though to the Apoſtolike *Sea*, ſhall hinder or ſuſpend the execution of that which is decreed or adiudged. 11. That for titles of honor which are giuen to Protonotaries, Count *Palatines*, Kings Chaplains, or ſeruants in warre, Monaſteries, Hoſpitals, thoſe perſons ſhall not be exempt from the authority of Biſhops, except they ſhall reſide in the houſes, or vnder their obedience, and Kings Chaplaines according to the conſtitutions of *Innocentius* the 3. And exemptions granted to the ſeruants of Cardinals, ſhall not be extended to that which concerneth benefices. 12. That no perſon vnder the age of twenty fiue yeares, ſhall be promoted to dignities with cure; and the Arch-deacons, if it may be, ſhall be Maſters in Theologie, or Doctors, or Licentiate in the Canon Law. And none, vnder the age of two and twenty yeares, ſhall be promoted to any dignitie without cure. Thoſe that are promoted to Benefices with Cure, ſhall bee bound to make profeſſion of their faith within two moneths: and Canons ſhall do the ſame. And none ſhall be receiued to any

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

dignitie,

1563 dignitie, Canonry, or portion, except he shall haue that order, which it doth require, and that age which is necessary for the receiuing of it. That in Cathedrall Churches all the Canons and Portionaries shall be Priests, Deacons, or Subdeacons, and the Bishop, with the *Chapter*, shall distribute how many shall be of euery order, but so, as that one halfe at the least shall be Priests. The Synod doth exhort also, that all the dignities, and halfe the Canonries in the Cathedrall, and famous Collegiate Churches may be conferred vpon Doctors in diuinity, or in the Canon Law, and that none may bee absent more then three moneths in the yeare. That the daily distributions may not be giuen, vpon any pretence whatsoeuer, to any that hath not been present in the offices, and that euery one shall performe his office in his owne person, not by substitutes. 13. There being many poore Cathedrall Churches, a remedy shall bee consulted on in the Prouinciall Councell, and the Pope desired to make prouision according to his wisedome. The Bishop also shall haue care to prouide for poore Parish Churches, either by vnion of some benefice not regular, or by assignation of first fruits, or tithes, or by contributions and collections of the Parishioners. Parish Churches shall not be vnited to Monasteries, Canonries, simple benefices, and religious orders of Souldiers, and those that are vnited shall be reviewed by the *Ordinaries*; and the Cathedrall Churches, not exceeding a thousand crownes, and the Parish Churches, not exceeding an hundred crownes, shall not be hereafter burthened with pensions, or reseruations of fruits. Where the Parishes haue no certaine confines, but the Sacraments are administred indifferently to those that doe demand them, the Bishop shall confine them, and they shall haue their proper Parish Priest. And in Cities which haue no Parishes, they shall be erected, as fast as may be. 14. The Synod doth detest, and forbid all institutions or customes of paying any thing for the obtaining of titles, or possessions, except it be conuerted into pious vses, declaring them to be symoniacall who shall vsurpe herein. 15. In Cathedral and Collegiate Churches, where the Prebends and distributions are too smal, the Bishop shal haue power to vnite simple benefices, or to reduce them to a smaller number. 16. The Episcopall *Sea* being voide, the *Chapter* shall elect one or two *Economickes*, or a Vicar, within eight dayes, or, if not, this authoritie shall be deuolued to the Metropolitane. And the Bishop when he shall be created, shall take of them an account of the administration, and punish them, if they haue offended. 17. That no Ecclesiasticall person, though a Cardinall, shall haue more then one Benefice, which not being able to maintaine him honestly, another simple Benefice may be added, so that they doe not both require personall residence; which shall be vnderstood of all Benefices, as well secular as regular, of what title or qualitie soeuer, though commended. And hee that hath now more Benefices then one, shall be bound to leaue all but one, within sixe moneths, or if not, they shall be all voide. Notwithstanding the Synode doeth desire that some prouision should be made for those that resigne in some conuenient manner, as shall seeme best to the Pope. 18. In case of vacancie of any Church in any manner whatsoeuer, all shall be written downe that are proposed or doe propose themselues, and shall be all examined by the Bishop with three examiners, at the least, and

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

amongst

amongst all those which shall be iudged fit, the Bishop shall elect the most sufficient, vpon whom the collation of the Church shall be made; and, in Ecclesiasticall patronages, the Patron shall present to the Bishop him that is most worthy. But in Laicke patronages he that is presented by the Patrons shall be examined by the examiners, and not admitted except he be found to be fit. And sixe Examiners shall be proposed euery yeere in the Diocesan Synod, of which the Bishop shall elect three, who shall be Masters, or Doctours, Secular or Regular, shall sweare to performe their duety, and shall not receiue any thing, either before or after the examination. That expectatiue graces for Benefices shall not be granted hereafter, nor any other, extending to Benefices that shall be vacant; and withall the mentall reseruations shall be prohibited. 19. That causes Ecclesiasticall, euen beneficiall also, shall be iudged by the Ordinarie in the first instance, and ended within two yeeres at the most. That there shall be no appeale but from the definitiue sentence, or from that which shall haue the force thereof, except in those which the Pope shall thinke fit to call to himselfe, for an vrgent and reasonable occasion. That matrimoniall and criminall causes shall be reserued to the Bishop onely. That in matrimoniall, those that are prooued to be poore shall not be forced to litigate out of the Prouince, neither in the second nor third instance, except the aduerse part will allow food and charges of the suite. That the Legats, *Nuncij*, and Ecclesiastical gouernours, shall not hinder Bishops in their causes, nor proceede against Ecclesiasticall persons, but in case of the Bishops negligence. That the Appellant shall be bound to bring, at his charge, the actes made before the Bishop, to the iudge of the appeale, which the Notarie, being conueniently payed, shall be bound to giue within one moneth at the farthest. 20. That in the wordes of the decree, made in the first Session vnder the present Pope *Pius* the fourth, that is, *Proponentibus Legatis*, the meaning of the Synod was not to change in any part the vsuall manner of handling matters in generall Councels, nor to adde or detract any thing, besides that which hath beene constituted heretofore by the sacred Canons, and by the generall Synods. In the end, the next Session was intimated for the ninth of December, with power of anticipation to handle the sixt Article, and the other which were proposed, and deferred, and other points also, as opportunitie should serue, and as they should be proposed in congregation. 1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

There was not such expectation of the issue of this Session, as of the last; as well because the generall curiositie was then satisfied, as because it did seeme that the matter of Matrimonie could not affoord any thing of any great obseruation. The world was more attentiue to see what issue the protestation made by the French Ambassadours would haue: which was read with varietie of affections. Those who were ill affected to the Court of *Rome*, did commend it, as true, and necessarie. But the Popes adherents thought it as abominable, as the Protestations formerly made by *Luther*.

In the sixt *Anathematisme* of Matrimonie, many did wonder, that the dissolution of marriage not consummated for a solemne vow, should be made an Article of faith, because the matrimoniall coniunction, though not consummated by carnall copulation, is a bond instituted by the law of God. The censure of the Decrees.

For

1563 Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

For the Scripture doeth affirme, that there was a true marriage betweene *Mary* and *Ioseph*; and the solemnitie of the profession being *de iure positiuo*, as *Boniface* the eight hath decreed, it seemed strange, not so much that an humane bond should dissolue a diuine, as that he should be condemned for an hereticke, who will not beleeue that an inuention of man, borne many hundred yeeres since the *Apostles*, should preuaile against a diuine institution, made at the first creation of the world.

In the seuenth it was thought to be a captious speech, to condemne for an hereticke him that shall say that the Church hath erred, in teaching that Matrimonie is not dissolued by adulterie. For if one should say absolutely, that matrimony ought to be dissolued for that cause, without saying or thinking that one hath erred, or not erred in teaching the contrary, it seemes that this man should not be comprehended: and yet it doeth not appeare how one can thinke so, except he holde the contrary to be an errour. It was iudged, that they should haue spoken plainely, and said absolutely, that it is not dissolued by adulterie, or that both opinions are probable, and not to make an Article of faith concerning a word onely. But these men would not haue made the difficultie, if they had knowen the causes before mentioned why they did speake in that maner.

The ninth Canon did affoord matter of speech also, by that affirmatiue, that God doth not deny the gift of chastitie to him that doth demaund it aright, because it did seeme to be contrary to the Gospel, which affirmeth that it is not giuen to all; and to Saint *Paul*, who doth not exhort to demand it, which was more easie, then to marry.

The Polititians knew not what to thinke of the twelfth *Anathematisme*; that it should bee heresie to hold that matrimoniall causes doe not belong to Ecclesiasticall Iudges, it being certaine, that the lawes of marriage were all made by the Emperours, and the iudicature of them administred by the secular Magistrates, so long as the *Roman* lawes were in force; which the reading onely of the *Theodosian* and *Iustinian Codes*, and of the *Nouels*, doth euidently demonstrate. And in the formes of *Cassiodore*, there is mention of termes vsed by the *Gothish* Kings in the dispensations of degrees prohibited, which then were thought to belong to ciuill gouernement, and not to bee matters of religion, and to him that hath any skill in story it is most knowen, that the Ecclesiastiques began to iudge causes of this nature partly by commission, and partly by negligence of Princes and Magistrates.

But in the beginning of the Decree of reformation of Matrimony, many wondered how it could bee defined as an article of faith, that clandestine marriages are true Sacraments, and that the Church hath alwayes detested them, because it doeth implie a contradiction to detest Sacraments. And to commaund that the Parish Priest should interrogate those that are ioyned, and, vnderstanding their consent, should say, *I ioyne you in matrimony in the name of the Father, Sonne, and holy Ghost*, was derided by the criticks; saying, that either they are ioyned by those words, or not; if not, then that is not true which the Councel of *Florence* hath determined, that matrimony receiueth perfection from consent; if so, what coniunction is that which the Priest maketh of persons ioyned before. And if the word, I ioyne, should

be

be expounded, I declare them ioyned, a way would be laid open to conclude, that the words of the absolution are declaratorie also. But howsoeuer it was, they said the decree was made to no other end, but that within a short time it might be made an Article of faith, that those words pronounced by the Parish Priest were the forme of the Sacrament. 1563 Pivs 4. Ferdinand Elizabet R. Charles 9. Philip 2.

For making void clandestine mariages, they spake as much as was spoken of it in the Councel it selfe. For some did extoll the decree to the heauens; and others said, that if those matrimonies were Sacraments, and consequently, instituted by CHRIST, and the Church hath alwaies detested them, and finally made them void, it did not appeare how those who had not made prouision for it in the beginning, could be excused from the blame of ignorance, or negligence. And when the distinction, on which they founded the decree, was published, that the contract was nullified, which is the matter of the Sacrament, it was hard to vnderstand a long time, because the matrimoniall contract hath no distinction from the matrimony, nor the matrimony from the Sacrament: and the rather, because the matrimony was indissoluble before it was a Sacrament, in regard CHRIST doeth not pronounce it insoluble, as instituted by him, but as by GOD, in the earthly Paradise. But, it being admitted that the Matrimoniall contract is an humane and ciuill thing, separate from the Sacrament, which is nullified, some said this annullation would not belong to to the Ecclesiasticall Iudge, but to the Secular, to whom the discussion, and cognition of all ciuill contracts doeth appertaine.

The cause alledged to moderate the impediments of marriage was much commended, as reasonable; but it was obserued withall, that it did necessarily conclude many more restrictions then those that were decreed, in regard there are no lesse iuconueniences by the impediments confirmed, then by those that were abolished. The end of the Article of matrimoniall dispensations mooued a vaine question in the curious, whether the Pope, by reseruing them to himselfe alone, did more good or hurt to his authoritie. For the good, was alledged the great quantitie of golde which did flow into the Court, through this chanell, and the obligations of so many Princes, gained by this meanes, as to be satisfied in their appetites, or interests, so to defend the Papall authoritie, on which onely the legitimation of their children was grounded. For the hurt, the losse of the reuenues of *England*, and of the obedience of that crowne was produced, which did weigh downe all gaine or friendship which the dispensations might procure.

The Frenchmen did not like the decree, that hee that stealeth a woman shall be bound to endow her, at the pleasure of the Iudge; saying, that the law concerning dowries cannot be made by Ecclesiasticall authoritie, and that it was an artifice to take the iudicature of that delict from the secular Magistrate. For if the Ecclesiastique may make the law, hee may iudge the cause. And howsoeuer they said absolutely, at the pleasure of the Iudge, yet there is no doubt, but that in the declaration, they would say they meant the Ecclesiasticall onely. And they thought it an vsurpation of temporall authoritie, to punish seculars with infamie, and incapacitie of dignities. Neither did they approoue the constitution against *concubinaries*, perseuering a yeere

in

1563 Pivs 4. Ferdinand. Elizabeth Charles 9. Philip 3.

in excommunication, that they should be punished by the Ecclesiastique, because excommunication is the extreame, last and greatest of Ecclesiastical punishments, according to the doctrine of all the Fathers; so that to passe that was to enter vpon the temporall power; and the rather, because they giue themselues power to course concubines out of their countreys, deciding the secular magistrates, by imploring their arme, if there shall be needs; which is as much as to affirme, that, ordinarily, the execution of this banishment may bee made by the Ecclesiastique himselfe.

The Decree of reformation in the first Article was noted either of defect, or of presumption. For if the Synode had authoritie to giue lawe to the Pope, especially in things so iust, it was not fit to doe it by way of narration, or by obliquity of wordes. But if it ought to receiue lawe from the Pope, it cannot bee excused for hauing passed its bounds, because it doth sharpely reprehend the former actions of this and other Popes, though it doth it obliquely. Those that were well seene in the Ecclesiasticall stories, said, that to draw all the causes of Bishops to *Rome*, was a new policie to make the Court great, whereas all the examples of antiquitie, and Canons of the Councels of those times doe shewe, that the causes of Bishops, though of depositions, were handled in the countries of each of them. Those who expected a prouision against the abuse of pensions, seeing what was decreed in the 13. Article, did iudge that the matter would passe to a greater corruption as the euent also hath shewed. The fourteenth Article was commended by euery one, because it did seeme to take away the *Annates*, and paying for *Buls*, dispatched at *Rome*, for collation of Benefices. But in progresse of time, it appearing that those remained still, and that there was not so much as any cogitation either to remooue or moderate them, they remembred, that, onely the small abuses of other Churches being prouided against, the saying was verified, that onely moates were taken out of the eyes, and beames neuer. Euery wise man thought that this age was not worthy of that Decree for the vnitie, or, at the most, dualtie of Benefices, and that it would not be obserued but in the poorer sort only. Likewise for the examination in concurrence, in the collation of Benefices, euery one did prognosticate that it would bee deluded by some sinister interpretation. And the Prophecie was quickly verified. For in *Rome*, within a short time, they began to declare, that concurrence was not to bee obserued in case of resignation, but that hee onely was to bee examined, to whom the resignation was made; which was as much as to abolish the Decree for the most part, because the better sort were excluded by resignation, and hee onely preferred who pleased the resignant: and Benefices are not vacant for any other cause but casually. The Decree of the cognition of causes in the first instance was quite destroyed, by the exception added, that is, except those which the Pope will commit, and call to himselfe. For causes were neuer taken from the lawful tribunals, but by commissions, and auocations of Popes: and now the cause of the disease was preserued, and the *symptom* onely cured. And howsoeuer the aduinct, (for vrgent and reasonable causes) did seeme to moderate the matter well, yet men of vnderstanding knew that it was as much as to say, for any arbitrarie cause.

But

But in the last point, which was in expectation so many moneths, touching the essentiall liberty of the Councell, seeing it was declared, that the meaning of the Synod was, not to change the manner of proceeding, nor to make any addition, or diminution of the old Constitutions, wise men said, that concerning this Councell it was a declaration contrarie to the fact, and published when it did no good: neither was there any more vse of it, then of a medicine applyed to a dead bodie. And some mocked, and said, that it was as much as the consolation of an honest man, whose wife had brought him children by other men, and said she did it not to doe him wrong. But, by an example giuen to posteritie, it did teach how all violence, and exorbitancie might be vsed in Councell, from the beginning to the end, and all inconuenience done excused by such a declaration, yea iustified, and maintained for lawfull. 1563 Pius 4. Ferdinand. Elizabeth Charles 9. Philip 2.

At this time, besides the absence of the Session holde, three other sorts of distastfull newes came into *France*. The first was the Popes answere about the hundred thousand crownes. The second, the protestation made in Councell, and the displeasure taken at it, in *Trent* and *Rome*. The last was, the sentence against the French Bishops, and the citation of the Queene of *Nauarre*: The French men, hauing much considered on these things, resolued not to treate any more with the Pope for his fauour in the alienation, but to execute the Kings Edict, approued in Parliament, without any consent of his Holinesse. This being suddenly performed, few buyers could be found; as well because men doe not easily resolue to lay downe their money, as because they were dissuaded by the Ecclesiastiques, who told them, that the sale, wanting the Popes confirmation, would not hereafter be esteemed to bee good. This was a hinderance to the King, and no fauour to the Clergie. For the sale was made, but it was done at a low rate; neither was there rayled more then two millions and halfe of Francks, small, in regard of the things alienes, seeing that it was made at twelue for an hundred, whereas it had beene a small price if they had giuen an hundred for foure. And it is worthy to bee repeated heere, that, amongst the things solde, one was, the iurisdiction which the Arch-b. of *Lions* had held vntill that time, ouer that citie, which was sold at the outcry for thirty thousand Francks. But the Bishop complained so much that, in supplement of the price, he had giuen vnto him 400. crownes yeerely. The Alienation of Ecclesiasticall Reuenues in France.

Concerning the protestation made in Councell, the King wrote to his Ambassadors the ninth of November, that, hauing seene what the Cardinall of *Loraine* had written against their protestation, and heard the relation made by the Bishop of *Orlience* of all things done in *Trent*, he was pleased with it, as also with their retire to *Venice*, and commanded, that *de Ferrieres* should not depart thence vntill he had new order, which should bee when he was aduised that the Articles were so reformed that the rights of the King, and of the Gallican Church were not put in question. And hee wrote to the Cardinall of *Loraine*, that himselfe and his Counsell knew that his Ambassadors had protested vpon great and iust occasion. For as hee would continue in the vnion and obedience of the Church, so hee would preserue inuiolable the rights of his crowne, without suffering them to be questioned, or disputed, or

1563
Pius 4. Ferdinand.
Elizabeth. Charles 9. Philip 2.

himselfe forced to shew them. That they should not thinke to satisfie him, with saying in the ende, *Sauing and reseruing the rights*, &c. because, vnder this colour, they would binde him to shew a reason in euery opposition. That if hee had seene the Articles as they were proposed, hee would haue iudged, that the Ambassadour could not haue done otherwise then make the opposition: which his desire was they should first haue shewed to him, but said they were to be excused, in regard of the occasion suddenly arising, & of the circūstances which did produce it, & of the suspitions, which made them doubt of some Artifice to precipitate the decision. And if the Pope had no intention, as he, the Cardinal, giueth him to vnderstand, that the rights of the Emperour, and Kings should be touched, and disputed, his Holinesse must turne his anger vpon the Legats, who proposed the Articles, & named Kings, Emperour and Republikes, and not vpon the Ambassadors. That hee thinketh the protestation may be iustified before all Christendome, when the Articles shal be seene. That, the Legats hauing proposed those Articles against the intention of his Holinesse, he ought not to referre himselfe to their discretion hereafter, nor to cause his Ambassadors to returne, vntill he had full assurance that those Articles should not bee spoken of any more, which being done, he will command them to goe againe to the Councell.

The French King taketh part with the Queene of Nauarre.

Concerning the citation and sentence, the King gaue order to *Henry Clutin*, Lord *d'Oysel*, to tell the Pope, that his Maiestie had vnderstood, to his great displeasure, that which he did not beleeue by the fame which was spread, vntill he had seene a copie of the monitories affixed in *Rome*, that the Queene was so proceeded against, as that hee was bound to defend her. First in regard the cause and danger was common to all Kings, who therefore were obliged to protect her; and the rather, because she was a widow; and his obligation was the greater, in respect of the neere kinred he hath with her, by both lines, and by agnation with her husband, who died but a little before in the warre against the Protestants, leauing his sonnes Pupils. Therefore hee could not abandon her cause, following the examples of his ancesters, and the rather, because hee ought not to indure that any should make warre against his neighbours vnder colour of religion; adding, that it was not pious, to put the kingdomes of *Spaine* and *France*, lately ioyned in friendship, in danger of a bloodie warre, for this cause. He said moreouer, that the Queene, hauing many Fees in *France*, she could not, by the rights and priuiledges of that kingdom, be compelled to appeare, either in person, or by Proctor, adding many examples of Princes and Popes, who haue proceeded with due and lawfull moderation. Hee touched the forme of the citation by Edict, a thing not heard of in former times, inuented by *Boniface* the eighth, and, as too hard and vniust, moderated by *Clement* the fifth, in the Councell of *Vienna*. He said that such citations could, by no meanes, take place, but against the inhabitants to whom the accesse is not secure, and that, the Queene remayning in *France*, a great iniurie was done to him and the Kingdome, by vsing that forme; as also was done by exposing to prey, and granting to the Vsurpers, the Fees shee holdeth in *France*, the right whereof belongeth to him. And euery one marueiled (hee said) that his Holinesse who did fauour so affectionately the cause of King *Antonie*

while

while he liued, in being his mediator with the King of *Spaine*, would now oppresse his children, and widow. But he complained most of all, that so many Kings, Princes, and cities hauing departed from the Church of *Rome*, within fourtie yeeres, he had not so proceeded with any other; which shewed well that he did it not for the good of her soule, but for other ends. Hee wished his Hol. to consider, that power was giuen to Popes for saluation of soules, not to depriue Princes of their states, nor to order any thing in earthly possessions; which hauing beene formerly attempted by them in *Germanie*, did much trouble the publike quiet. Hee intreated the Pope to reuoke all his Actes against the Queene, protesting, that, in case hee would not, he would proceede to those remedies which his predecessours haue vsed. Hee complained also of the cause of the Bishops, and commanded his Ambassador, that, declaring vnto him the ancient examples, the liberties and immunities of the French Church, and the authoritie of the Kings in causes ecclesiasticall, he should pray the Pope not to make any innouation. *Monsieur d'Oisel* performed this office with great vehemencie, and, after many treaties with the Pope, obtained of him to speake no more either of the Queene or of the Bishops. 1563

PHYS. FERDINAND. ELIZABETH. CHARLES. PHILIP.

And with the Bishops.

But in *Trent*, the Session beeing ended, and matters well agreed on betweene the Legates and *Loraine*, and the businesse imparted to the principall Papalins, *Otranto*, *Taranto*, and *Parma*, as also to the Emperours Ambassadours, *Loraine* began to publish their designe, that the Councel might bee finished with one Session more. Hee said hee could not bee in *Trent* at Christmas; that himselfe, and all the French Bishops must depart before that time; that hee desired to see the Councell ended, and was loath to leaue so honourable an assembly; but that hee could not otherwise doe, beeing commanded by the King. The Imperialists also did publish in the Councell, that the Emperour did desire the dispatch, and that the King of the Romanes did write, that his desire was it should bee finished by Saint *Andrewes* day, or, at the longest, in the beginning of the next moneth by all meanes. And indeede that King, not to please the Pope, but because it was his opinion, did sollicite the conclusion. For beeing to hold a Diet, hee was not willing his Father should haue Ambassadours in the Councell; and sayd, that if that were shut vp, the affaires of Religion in *Germanie* would bee in farre better case.

The Card. of *Loraine* publisheth the desseigne to finish the Councel.

The greater part of the Fathers were glad to heare this; and *Morone*, making a Congregation in his house, the fifteenth of November, of the Legates, two Cardinals, and fiue and twenty Bishops, the principall of euery nation, hee proposed, that the Councell, hauing been assembled for the necessities of *Germanie* and *France*, and now the Emperour, King of the Romanes, Cardinall of *Loraine*, and all princes desiring that it should bee finished, they would speake their opinion concerning the concluding of it, and the manner. *Loraine* sayd, it was necessary to finish it, not to hold Christendom in suspence any longer, to shew the Catholikes what they ought to beleeue, and to take away the *Interim* of *Germanie*, which could not be done by any other meanes, because it was to continue vntill the end of the Councell; and to continue it longer, could not bee without great dammage of

1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

the Catholique Church. And that it was needfull to finish the generall Councell in *Trent*, to hinder a Nationall in *France*. For the manner hee said it might bee ended with one Session, handling in it the residue of the reformation, and dispatching the *Catechisme*, and the *Index* of the bookes prohibited, which were in order already, referring other matters to the Pope, not disputing the Articles of *Indulgences* and *Images*, nor anathematizing particular heretiques, but proceeding with generall termes onely. They all agreed, in some sort, to finish the Councell, except the Archbishop of *Granata*, who referred himselfe to the Ambassadour of his King. Some said it could not absolutely bee ended, because so many matters did remaine to bee handled: but that it might be done by intimating another ten yeeres after, which also would serue to hinder the calling of Nationall Councels, and to deferre the determination of the things remayning, and the *Anathematismes*. The Bishop of *Brescia* proposed a middle course betweene an absolute ende and a suspension; because the former would make the heretiques desperate, and the later not satisfie the Catholiques. But these opinions had no followers, all the others adhering to that which the Cardinall had sayd.

For the manner, *Otranto* thought it necessary to anathematize the Heretiques, because it hath been vsed in all Councels, and is the principall thing which is required of Synods. For many are not capable to vnderstand the trueth or falshood of opinions, by their owne iudgement, but doe follow or abhorre them according to the credit or discredite of the authours. He sayd that the Councell of *Chalcedon*, full of learned men, to cleere themselues whether *Theodoret*, Bishop of *Ciros*, were a Catholique or not, would not heare an account of his faith, which hee desired to render, but onely wished him to denounce a plaine *anathema* against *Nestorius*; that if *Luther* and *Zuinglius*, dead, and their followers aliue, were not anathematized, it might bee said, that the Councell had laboured in vaine. The Cardinall replied, that diuers times did require diuers counsels; that the differences in Religion were then betweene the Bishops and the Priests; that the people were but as an accessory; that the *Grandies* either did not meddle, or if they did adhere to any heresie, they did not make themselues Heads, and leaders. But now all was quite contrary; because the heretique Ministers, and preachers could not be said to be heads of the Sectes, but the Princes rather, to whose interests their Ministers and Preachers doe accommodate themselues. Hee that would name the true Heads of heretiques, must name the Queene of *England*, the Queene of *Nauarre*, the Prince of *Condè*, the *Elector Palatine* of the *Rhene*, the *Elector* of *Saxonie*, and many other Dukes and Princes of *Germanie*. Hee said, that this would make them vnite, and shew they were sensible of it; and that the condemnation of *Luther* and *Zuinglius* onely would so prouoke them, that some great confusion would certainely arise. Therefore to doe, not what they would, but what they could, hee thought that the more vniuersall resolution was the better.

Morone sent to call the Ecclesiasticall Ambassadours: to whome hauing imparted the proposition and opinion of that assembly, they consented to the

the end and the manner, according to the opinion of *Lorraine*. Which resolution being also communicated to the Secular Ambassadors, they did all assent, except the Spaniard, who said, hee knew not the expresse will of his King, and desired time that hee might vnderstand it. Notwithstanding this, the Legates, resolute to execute this determination, gaue the matter concerning Princes, omitting the *Anathematismes*, and all the particular Articles, onely renewing the old Canons of the Ecclesiasticall liberty and iurisdiction, speaking of Princes with much reuerence, onely exhorting them to cause their ministers not to violate them. The same day at night a Congregation was made, to beginne to speake of the reformation, and an order was set downe, that there should bee two Congregations a day, vntill all the voices were giuen. 1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

Which were deliuered with great shortnesse & resolution, except by some few Spaniards, who desired to hinder, whereas all the others did endeauour to promote the expedition, with breuity. The greatest difficulty was concerning the sixth Article, of the subiection of *Chapters* to Bishops, in regard of the great interest, which not onely the Bishops, but the King also had in diminishing the *Capitular* authority, that they might not oppose the subsidies which are often imposed in *Spaine*, and, on the other side, for the fauors the Legates did the *Chapters*, by whose meanes, and for the reasons alleadged, many Italians, who first seemed to fauour the Bishops, turned on the *Chapters* side. The Count of *Luna* sent a Currier to *Rome*, in diligence, by whose aduice *Vargas*, the Ambassadour, entreated the Pope for his fauour to the Bishops. Who, according to his custome, referring himselfe to the Councel, the Ambassadour complained that the Italian Prelates had beene perswaded to change their opinion in that matter. Whereunto the Pope readily answered, that they changed, because they were free, but that the departure of the Agent for the *Chapters* from the Councel was not free, hauing beene driuen from thence, and, vpon that occasion, complained, that the Count of *Luna*, in *Trent*, did dissuade the finishing of the Councel. Notwithstanding hee wrot, according to the Ambassadours request, but in such termes, as did not disfauour the pretensions of the *Chapters*. And finally the decree was made, with some enlargement of the Episcopall authority in *Spaine*, but not so much as they desired. A difficulty about subiecting the *Chapters* in *Spaine* to the Bishops.

The Venetian Ambassadours made instance, that, in the Article of Patronages, those of the Emperour and Kings being excepted, those of their Republique might bee excepted also. The Legates were willing to please them, but could hardly tell how. For to except all Republiques was too much, and to name them particularly would breed matter of iealousie. They found a temper, to comprehend that in the number of Kings, declaring that amongst those are contained the possessours of Kingdomes, though they haue not the name.

In the Congregation of the twentieth day, a proposition was made, to demand the Popes confirmation of all the Decrees of the Councel, as well vnder *Paul* and *Iulius*, as vnder his Holinesse. The Arch-bishop of *Granata* opposed, saying, that in the sixteenth and last Session vnder *Iulius*, when the Councel was suspended, it was ordained that all the Decrees made The Popes confirmation is demanded.

1563 Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

by the Synode vntill then ſhould be obſerued, without ſaying that there was any neede of confirmation; ſo that to demand it now would bee to condemne thoſe Fathers, who then thought that the Decrees might bee executed, without any confirmation at all. Hee profeſſed hee did not ſay this becauſe he diſliked the demand of a confirmation, but that meanes might bee found to vſe words not preiudiciall. *Otranto* anſwered, that the Decree, named by *Granata*, did not onely not fauour the oppoſition which hee drew from it, but did reſolue it rather, ſhewing plainely, that the Councel did not thinke the ordinations obligatory, becauſe it did not command, but ſimply exhort that they ſhould bee receiued and obſerued; whereof no other cauſe could be alleadged, but the want of confirmation. *Granata* was quiet, and reſolued to demand the confirmation, as it was propoſed by the common conſent. But in the manner there was ſome difference. Some were of opinion that the Councel ſhould demand confirmation, and diſſolue without expecting anſwere; ſaying it could not otherwiſe be done with dignity, either of the Apoſtolique Sea, or of the Councel, and that it would ſeeme to be an accord made betweene them; and if any thing ſhould not bee confirmed, the prouiſion muſt bee made by the ſame Councel. To ſatisfie theſe, who were many, *Morone* was willing, that, in the Seſſion of the ninth, which, in regard of the multiplicity of the matters, was thought would continue three daies, the firſt day a Currier ſhould bee diſpatched to demand the confirmation, at whoſe returne another Seſſion ſhould bee held without any action, but to diſſolue the Synod. But this opinion had much contradiction. For if the Pope would confirme the Decrees without examining them, the ſame difficulty did returne; if with examination, the time of ſome moneths was neceſſary. Finally, the Cardinall of *Loraine* told the Fathers, that theſe difficulties were to prolong the Councel; that himſelfe and the other French men muſt needs depart, beeing ſo commanded by the King, and that after their departure the Councel could not bee called Generall, there wanting a Nation; whereby the dignity and honour of it would bee diminiſhed, and Nationall Synods and other difficulties might bee raiſed. This halfe Proteſtation, with the perſwaſions of the Imperialiſts for the expedition, was cauſe (after many conſultations) of a reſolution, to demand the confirmation, and diſſolue the Synod in the ſame Seſſion.

The Cardinal of *Loraine* wrot preſently to *de Ferrieres*, who was at *Venice*, that the matter concerning Princes beeing accommodated, hee might returne to *Trent*. Who anſwered hee could not, without particular commiſſion out of *France*, becauſe the King in his letters of the ninth, had written to him, as alſo to him the Cardinall, that when the Decree was made, and himſelfe aduiſed thereof, he would ſend him backe; ſo that it was neceſſary to expect the order of his Maieſty. But hee wrote to the King; that hee thought it not fit for his ſeruice to returne, in regard that the rights of the Crowne, and the liberty of the *Gallican* Church were violated in other Decrees alſo, publiſhed in that Seſſion.

De Ferrieres refuſeth to returne to *Trent*.

The reformation ſtanding in good termes, the care of compoſing the Decree of *Purgatory*, inuocation, worſhip, reliques, and images of Saints was committed to the Cardinall of *Varmia*, and eight Prelats; who, though they

they all resolued not to moouc any difficulties, yet they did not agree. Some were willing to make mention of the place of *Purgatory*, and of the fire, as was done in the Councell of *Florence*. Others said, that this being hard to doe, and impossible to find words to expresse it, which might giue satisfaction to all, it was better to say onely that the good workes of the faithfull did help the dead for the remission of their sinnes. The Arch-bishop of *Lanciano* said, that, in handling the *Masse*, mention was made, that that sacrifice is offered for those that are deceased in CHRIST, not intirely purged; by which words the doctrine of *Purgatorie* was sufficiently defined; so that nothing remained to be done, but to enioyne the Bishops to cause it to bee preached, and to take away the abuses, taking care also that there be no want of due prayers for the dead. And so the decree was made.

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

The manner of the Decree concerning Purgatory.

In matter of the Saints they easily agreed to condemne, particularly, all the opinions, contrary to the vses of the *Roman* Church. Onely about images there was some difference. The Arch-bishop said, no honour was due vnto them, but by relation to the thing signified. But *Lainez*, the Generall, who also was one of the composers, added, that, when they were dedicated, and put in place of adoration, a worship did belong vnto them, besides the adoration due vnto the Saint worshipped in them, calling this adoration *Relatiue*, and the other *Obiectiue*. He proued his opinion, because the vessels and vestments consecrated deserue a reuerence belonging vnto them, by vertue of the consecration, though they doe not represent any Saint; and so an adoration is due vnto the Image dedicated by vertue of the dedication, besides the reason of the representation. The Cardinall of *Varmia*, for satisfaction of both, concluded, that the opinion of the Arch-bishop ought to be expressed, as more facile, and plaine, but without words which might preiudice the other.

Opinions about the adoration of Images.

Deputies were appointed also to reuiew the reformation of Friars and Nunnes, besides those Prelats who had composed it, and the Generals of the Orders were added vnto them. These changed nothing, but that it being generally graunted, in the third Article, to all Monasteries of *Regular Mendicants* to possesse immoueable goods, though it be contrary to their institution, Friar *Francis Zamotra*, Generall of the *Minor Obseruants*, desired that his Order might be excepted; saying, he meant to liue according to the rule of Saint *Francis*, from which it was not fit to exempt those who did not demaund it. And satisfaction was giuen him by excepting his order: as also the *Capuchins*, at the instance of Friar *Thomaso di Castello*, their *Generall*. *Generall Lainez* desired also the exception of the company of *Iesu*, saying, that, howsoeuer the Colledges deputed to entertaine schollars, who were not yet *religious*, might enioy moueable goods, yet the houses professed, in which the societie doth essentially consist, might not liue but by begging, without possessing any immoueable thing whatsoeuer. This was easily granted. But he returned the next day, desiring the exception might be remoued, and said, that his society would alwaies preserue themselues in pure mendicitie, in the houses professed, but did not care to haue this honour with the world, thinking their desert in the sight of God to be sufficient; which would bee the greater, if, being able to make vse of the power giuen them by the Councell,

The *Iesuites* professe to liue with begging, but will not be bound vnto it.

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

cell, they should forbeare to doe it. This resolution was made by consent of all the foure *Iesuites* in the Councel, proposed by Father *Torres*, who said, they should, by this meanes, haue liberty to vse or not to vse the graunt of the Councel, according to opportunity.

In the fifteenth Article it was constituted, that none should professe, before the age of eighteene compleate, and that euery one should be a *Nouice* two yeares at the least, at what age soeuer he entred. The *Generals* opposed; saying, it was not iust to hinder any from entring into Religion, who was capable to know what the regular vowes did import; which capacitie was iudged by the Church to be at the age of sixteene yeares, in a time when the world was not so well awake, and therefore that it was fit rather to make the age lesse then greater: which reason they vsed also against the two yeares of the *Nouiceship*. In the end, because they were willing to please all, they resolued to satisfie the *Generals* also, and to make no innouation herein.

Besides the twenty two Articles, there was another, in which power was giuen to the *Prouincials*, *Generals*, and Heads of the Orders to expell the incorrigible out of the Order, and to depriue them of the habit. Which *Iohannes Antonius Fachinettus*, Bishop of *Nicastro*, opposed sharply; saying, that the profession and Act of admission to it are a mutuall contract, and, as it were, a marriage, by which the professed is bound to the Monastery, and the Monastery to him, and as the one could not depart, so the other could not put him away, and that, by meanes of this decree, all Cities would bee filled with expelled Friars, to the great scandall of the world. The Arch-bishop of *Rosano* said to the contrary, that the relation was not as betweene man and wife, but as betweene father and sonne, and that the sonne could neuer lawfully refuse the father, but the father might emancipate his sonne, especially if he were disobedient, and that it was a lesse euill to see expelled Friars in the Cities, then incorrigible in the Monasteries. The Generals were not all of one opinion. The perpetuall did approue the expulsion, but the temporary did not. The maior part inclined, (according to the custome of a multitude, when it consulteth) to leaue things in the state they were, and not to decree either for the one side or the other. But, in this consultation, it was often repeated, and by many, that the people did receiue great scandal to see some weare a religious habit many yeares, and afterwards become seculars. This brought the secret profession into question, and made a consultation to begin, whether they ought to declare it to be of force, as it had beene vntill that time, or that no profession doth bind but that which is expresse. But this had difficulties also; for temper whereof this resolution was taken, that the religious Prelat, the yeare of probation being ended, should be bound either to giue the Nouice leaue to depart, or admit him to the profession. And this was inserted in the sixteeneth Article, as in a place conuenient.

Generall Laynez commended the decree very much, as necessary, but desired that his societie might be excepted, alleadging, that the condition of it was different from that of other regular Orders; that in those tacite profession hath place, by ancient customs, and approbation of the Apostolique *Sea*, which in their society is prohibited; that the cause of scandall which the

people

people receiueth in seeing some in a secular habit, who haue long worne the religious, doth cease in them, in regard the habit of the *Iesuits* doth not differ from the secular; that their society hath also a confirmation from the Apostolique *Sea*, that the Superiour may admit to the profession after a long time, which hath neuer been made to any Regular. All inclined to fauour him with this exception; for extention whereof he contended, that the rules of speaking *Latine* did require that the expression should be in the plurall, saying, that by these things the Synod doth not intend to alter the institution of the Iesuits, &c. And it was not considered that this maner of speech might be referred both to the admitting or dismissing of *Nouices* in the end of the yeere of Probation, and to the whole contents of the sixteenth Article; as also that it might be referred to all the things contained in the sixteene heads. But the Father knew how to make vse of the negligence of others, laying a foundation, on which the succeeding *Iesuites* might build that singularitie which now appeareth in their Societie.

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

Leynez maketh vse of the negligence of the Fathers in *Trent*.

The Congregation of the two and twentieth treated of Indulgences; the difficultie and length of which matter made the *maior* part to be of opinion to speake of it no more, in regard all were resolued before to auoide impediments. But some desired to handle them, saying, that otherwise the Heretickes would say, that they were omitted, because there was no ground to maintaine them. Others thought it sufficient to speake of their vse onely, and to take away the abuses which the corruption of times hath brought in. The Ambassadour of *Portugall* said, hee was sory that prouision was not made for the *Crusadoes*, but would be silent, lest occasion might be taken to prolong the Councell. The Emperours Ambassadours, though they did ioyntly sollicite the expedition, by commission from their Master, were not of accord in this. *Prague* would not haue them speake of the points of doctrine. *Fiue-Churches* said, that if they were omitted, and the abuses of reliques, images, and purgatorie not taken away, the Synode was quite shamed.

The Bishop of *Modena* tolde the Fathers, that, in case they would handle *Indulgences*, as they had done iustification, considering all the causes, and resoluing all the questions, they would finde it difficult, and to require a long time, it being impossible to make that matter plaine, but by determining first whether they be absolutions, or compensations onely, and suffrages; or whether they doe remit the penalties imposed by the Confessor onely, or all that are due: likewise whether the Treasure, which is put for their foundation, doeth onely consist of the merits of CHRIST, or whether those of Saints be required also; whether they may be giuen, though the receiuer performe nothing; whether they extend to the dead also; and other things of no lesse difficultie. But to determine that the Church may grant them, and hath done so in all times, and that they are profitable for the faithfull, who doe worthily receiue them, needeth no great disputation. The authoritie to grant them is prooued by the Scripture; their continuall vse by Apostolicall tradition, and authoritie of Councels, and the perspicuitie of the whole matter by the vniforme doctrine of the Schoolemen. Vpon this a Decree may be composed without difficultie. The opinion had many

The Councel dareth not handle the matter of Indulgences exactly.

followers;

1563 followers; and hee, with other Friar Bishops, was deputed to make a Decree in this sense, adding a prouision against the abuses.

Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

In the Congregations following they handled the *Index* of bookes, *Catechisme*, *Breuiarie*, *Missals*, and *Agends*. And all things, determined in the particular congregations of the Prelats deputed for these matters since the beginning of the Synod, were read. Wherein they did not all agree. Some thought that certaine Authours and Bookes were censured without reason; and some, that others were omitted which did more deserue censure. And there was no lesse difficultie about the Catechisme, some thinking that that which was made was not fit to be made the common for the whole Church, in which the greater part are simple, and some desiring that more matter might be put into it. And they differed as much about the *Rituall* bookes, some desiring an vniformitie in the whole Church, and some maintaining their owne. But it appearing that these matters could not be decided in a whole yeere, the Legates proposed that all should be referred to the Pope. Whereunto some few Prelats did not consent, and namely the Bishop of *Lerida* made a long oration to shew, that if any thing were proper to the Councell it was the *Catechisme*, it being a booke, which, after the Symbol, ought to holde the first place in the Church; that the *Rituall* bookes ought to holde the second, in correcting of which there was neede of an exquisite knowledge of antiquitie, and of the customes of all countreys, which will not be found in the Court of *Rome*; where, though there be men of excellent wit, and of great learning, yet they want skill in this kinde which is necessary to doe any thing commendably herein; and that this is more proper to the Councell. But the resolution to finish, and the desire to depart from *Trent*, caused him to haue but small audience.

The *Index*, *Catechisme*, &c.

The fiue and twentieth of this moneth, the Count of *Luna* came to the Legats, with an instance in writing. He complained that the most principall matters for which the Councell was assembled were omitted, and the others precipitated; that they went about to finish the Synod without the priuitie of his King; concluding, that they ought to heare the opinions of the Diuines concerning the points of doctrine, and expect an answere out of *Spaine* for the end of the Councell. The Legats answered, that things were in such forwardnesse, that there was no time to expect, nor was possible to withholde so many Bishops, who were alreadie in order to depart. The Count replyed, that if the Councell were ended without the knowledge of his King, besides the instance, he would doe something else, as hee thought conuenient. Hereupon the Legats sent presently to the Pope, and the Count to the Ambassadour *Vargas*, to treat with his Holines. But *Vargas* thought it superfluous to speake any more herein, both because, at the comming of the currier, the Pope fell extreame sicke, and because hauing made the same instance a few dayes before, the Popes finall answere was, that he referred it to the Councell, the libertie whereof, so much desired by his King also, hee would not impeach. And the Ambassadour saying, that the Councel ought to be holde open, because all the world did desire it; the Pope demanded what that world was which would haue it open; the Ambassadour answered, *Spaine* would; the Pope replied, Write into *Spaine*, that if they buy and

The Popes sickenesse.

studie

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

ſtudie *Ptolomie*, they ſhall finde that *Spaine* is not the whole world. The Legats vſed many perſwaſions to the Counte of *Luna*; and ſo did *Loraine* alſo, and the Emperours Ambaſſadours. But, not being able to preuaile, they laboured againſt him, the Ambaſſadours in the name of the Emperour, King of the *Romans*, and of all *Germanie*, and *Loraine* in the name of his King, and of the Kingdome of *France*. The Legats, reſoluing to finiſh the Councell, according to the Popes order, howſoeuer the Spaniſh Ambaſſadour might oppoſe, were diligent in diſpatch of the matters.

While theſe things were in doing, the firſt of December a currier came from *Rome* late at night, with aduiſe, that the Pope was ſuddenly fallen into a dangerous infirmitie. He brought letters from Cardinal *Borromeo* to the Legats, and Cardinall of *Loraine*, that they ſhould haſten the Councell as much as might be, and finiſh it without reſpect of any, to withſtand the inconueniences which might occurre about the election of the Pope, in caſe the Councell ſhould be open in time of vacancie. In the Letters there were ſome few wordes written with the Popes owne hand, who did commit the ſame abſolutely, and tolde *Loraine* he ſhould remember his promiſe. It is certaine (to ſpeake this particular here, though out of place) that the Pope was reſolued, in caſe hee did not recouer quickely, to create eight Cardinals, and to take order that no confuſion might ariſe in the election of his ſucceſſor. The Legats and *Loraine* purpoſed to anticipate the time of the Seſſion, and, either with the propoſitions, or without, to finiſh the Councell within two dayes, that the newes of the Popes death might not firſt come. Therfore they ſent to communicate the aduice receiued, & their reſolution, to the Ambaſſadors, and did negotiate with the principall Prelates. They all agreed except the Spaniſh Ambaſſadour, who ſaid hee had order from his King, that if the *Sea* were vacant, hee ſhould not ſuffer the Pope to bee elected in Councell, but that the election ſhould be by Cardinals, ſo that there was no neede to precipitate. But *Morone* anſwered, hee knew for certaine, that the Ambaſſadour of *France*, who was yet in *Venice*, had order from his King, to proteſt that that kingdome would not obey any Pope, but him that ſhould bee elected in Councell; ſo that it was neceſſary by all meanes to finiſh it, for auoyding of danger. The Count of *Luna* made a Congregation of Spaniſh Prelates in his houſe, and ſpread a fame, that hee was reſolued to proteſt, and oppoſe.

Notwithſtanding, the Legates helde a Congregation the next morning, in which the Decrees of *Purgatorie* and of the Saints were read, as they were compoſed by the Cardinall of *Varmia*, and the other deputies. Afterwards the reformation of Friars was read, and all approued with very great breuitie, and little contradiction. Then the Articles of reformation were read. In the firſt of the manners of Biſhops, at the paſſage, where it is ſaid, that they ſhall not enrich their kinred and familie by the reuenues of the Church, it was ſaid of the reuenues of the Church, of which they are faithfull diſpencers for the Pope. The Biſhop of *Salmona* did oppoſe this point, ſaying, that the portions of the poore beeing diuided, by ancient Canon, as alſo of the fabrique and of the Epiſcopall table, it cannot bee ſaid that Biſhops and other beneficed perſons are diſpencers, but were

Lords

Cauſeth the end of the Councell to be haſtened.

Notwithſtanding the oppoſition made by the Count of *Luna*.

1563 Lords of their owne part; which if they did spend ill, they did sinne, and incurre the Wrath of God, as euery other man did, who spendeth his goods amisse: but if they were dispensours for the poore, they should be bound to restitution, which cannot be sayd. There were many discourses, the *maior* part defending that benefices then were Lords of the fruits, or vsufructuaries, and others saying, as the French Ambassadour had done in his Oration, that they haue but the vse oneby. Some defended the words of the Decree that they were dispencers, alleadging the place in the Gospell of the faithfull seruant, and the doctrine of all the holy Fathers. But the precipitation to finish the Councell, caused those words, that is, of which they are appointed faithfull dispencers for the poore, to bee omitted, as also other difficulties to be passed ouer in silence.

Pius 4. Ferdinand. Elizabeth Charles 9. Philip 2.

In the Article of Patronages, the Ambassadours of *Sauoy* and *Florence* made request that those of their Princes might bee excepted also, or that all might be comprehended but those of the Emperour and Kings. Satisfaction was giuen them, by excepting, besides the Emperor, Kings, or Possessors of Kingdoms, other great and supreame Princes, who haue soueraignety in their Dominions. Afterwards a proposition was made for the reading in Session of all the Decrees made vnder *Paul* and *Iulius*, to bee approoued; which *Modena* opposed, saying, that it would be a derogation to the authority of the Councel of those times, if it should seeme that the things then done had need of a new confirmation of the Fathers, and would shew that this and that was not all one, because none can confirme his owne things. Others said, it was necessary to doe it, for that cause, that authority might not be taken from them, saying, that they were not of the same Councel. And the same French-men, who before did so earnestly desire that it might be declared that the Councel was new, and not continuated with that vnder *Paul* and *Iulius*, did now labour more then others, that all cause of doubting might be taken away, that all the acts from the yeere 1545. vntill the end, were not of the same Synode. Thus it happeneth, as in humane affaires, so in religion also, that ones credulity is changed with his interests. Therefore now, all aiming at one marke, it was determined, simply to read them, and say no more. For so the vnity of the Councel was most plainely declared, and all difficulty remooued which the word confirmation might bring, leauing euery one to thinke what he listed, whether the reading of them did consequently import a confirmation, or a declaration of their validity, or an inference that it was one Synode which made them with that which read them.

A dispute whether the Decrees made vnder *Paul* & *Iulius* should be read.

Finally a proposition was made to anticipate the Session, and to celebrate it the next day; and, if all the actions could not then bee dispatched, to continue it the day following, and to dismisse the Fathers, and subscribe all the acts of the Councel on Sunday. The Spanish Bishops opposed this, saying, that there was no necessitie to abbreuiate the time. Notwithstanding Card. *Morone* said, that the Session should be held. And *Lorraine* and the Emperors Ambassadors renewed their perswasions to the Count of *Luna*, that he would yeeld to that which was so vniformely resolued. Who, in the end, after many things spoken and replied, was content vpon two conditions; one that

The Session is anticipated.

a Decree

a Decree might be made that the Pope ſhould make prouiſion for all things that remaine; another that in the handling of Indulgences it ſhould not bee ſaid that they ought to bee giuen *gratis*, nor any other thing that might preiudice the *Cruſadoes* of *Spaine*. 1563 Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

That day therefore being come, which was Friday, the third of December, they went to the Church with the vſuall Ceremonies, and the *Maſſe* was ſaid, in which *Ierolamus Ragazzone*, Biſhop of *Nazianzo*, made the Sermon. Hee ſummoned all the world to admire that moſt happie day, in which the temple of God was reſtored, and the ſhip brought into the hauen, after ſo many tempeſts, and ſtormes; and that the ioy had beene greater, if the Proteſtants would haue had their part in it, which was not the Fathers fault. He ſaid, they had choſen that citie for the Councell, ſcituated in the mouth of *Germanie*, euen at the threſhold of their houſes, without any gard, not to giue ſuſpition of want of libertie; that the Proteſtants had beene inuited, by a Safe-conduct, expected and prayed; that, for the ſafetie of their ſoules, the Catholike faith was expounded, and the Eccleſiaſticall diſcipline reſtored. He ſhewed the abuſes taken away in holy *Rites*. He ſaid that if there had beene no other cauſe to call a Councell, it had beene neceſſarie to doe it for the prohibition of Clandeſtine mariages. And, paſsing to the things conſtituted for reformation, he ſhewed, from ſtep to ſtep, the publike ſeruice the Church would receiue by thoſe decrees. Hee added, that the explication of faith, with the reformation of manners, had beene handled in former Councels, but not more diligently in any; that the arguments and reaſons of the heretikes had been often handled and diſcuſſed, and many times with great contention, not becauſe there was any diſcord amongſt the Fathers, which cannot bee amongſt thoſe who are of the ſame opinion, but to proceed with ſinceritie, and ſo to cleere the truth as that more could not haue beene done if the heretikes had beene preſent. Hee exhorted all, that, being returned to their Dioceſſes, they would put the Decrees in execution; as alſo to thanke God firſt, and then the Pope, ſhewing what hee hath done to fauour the Councell, ſending *Nuncij* into the Proteſtant Countries, Legates to *Trent*, exciting Princes to ſend Ambaſſadours, ſparing no coſt to maintaine the Councell in libertie. He commended the Legates, as being good guides, and moderators, and, in particular, Cardinall *Morone*, and concluded with the commendation of the Fathers.

And held the 3. of Decemb.

The Sermon.

After the Ceremonies were ended the Decrees were read. In the doctrine of *Purgatorie* it was ſaid that the Catholike Church hath taught, out of the Scripture, traditions, and in this ſame Synode, that there is Purgatorie, and that the ſoules, detained in it, are aſſiſted by the ſuffrages of the faithfull, and the ſacrifice of the *Maſſe*. Therefore it doth command Biſhops to teach ſound doctrine in this matter, and cauſe it to bee preached, without handling ſubtile queſtions before the ignorant people, not ſuffering vncertaine and vnlikely things to be publiſhed, prohibiting curioſities, ſuperſtition, and vnhoneſt gaine, procuring that thoſe ſuffrages bee fully executed which are vſually made for the dead by the liuing, as alſo that the things ordained in laſt wils, or in any other manner be fully performed.

The Decrees.

Of *Purgatorie*.

In matter of the Saints, it doth command Biſhops and all others who haue

Of Saints.

1563
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

the charge of teaching, that they instruct the People, concerning the intercession and inuocation of them, honour of relikes, lawfull vse of images according to the ancient doctrine of the Church, consent of Fathers, and Decrees of Councels, teaching that the Saints doe pray for men, that it is profitable to inuocate them, and to haue recourse to their prayers and assistance. Afterwards, all in one periode, it doeth condemne seuen assertions in this matter. That the Saints of Heauen ought not to bee inuocated. That they doe not pray for men. That it is idolatrie to inuocate them to pray for vs, though singularly. That it is repugnant to the word of God, contrarie to the honour of CHRIST, and a foolishnesse to pray vnto them, either with heart or voyce. That the bodies of Saints, for whose sake God doeth giue vs many benefits, ought not to bee worshipped. That their reliques and sepultures ought not to bee honoured. And that it is in vaine to make mention of them, to obtaine assistance.

Of Images.

Concerning images, that those of CHRIST, of the Virgin, and of Saints ought to be kept in the Churches, and to haue due honour giuen them; not that there is any diuinitie, or vertue in them, but because the honour redoundeth to the thing represented, CHRIST and the Saints being worshipped by the images, whose similitude they beare; as hath beene defined by the Councels, especially in the second of *Nice*. That for histories, the misteries of religion, expressed in pictures, are taught to the people, and the Articles of faith called to their mind; and not onely the Benefites of CHRIST are suggested to them, but the miracles and examples of Saints are euen put before their eyes, that they may thanke God for them, and imitate them; anathematizing those that teach or beleeue the contrarie.

Afterwards it addeth; that, desiring to take away the abuses, and occasions of pernicious errors, it doeth ordaine, that, if there be cause to make an image of the Diuinitie, to declare the historical pictures of the holy Scripture, the people be taught that it is not done because it can be seene with bodily eyes; that all superstition in inuocation of Saints, worship of relikes, and vse of images be taken away; that all dishonest gaine bee abolished, all excesse auoided, images not pictured, nor adorned lasciuiously, nor banquets made in the Feasts of Saints, or visitation of reliques; that no vnusuall image be put in any Church or other place, but approoued by the Bishop; that no new miracles be admitted, or new reliques receiued; and in case of any doubt or abuse hard to be remooued, or great difficultie, the Bishop shall expect the opinion of the Prouinciall Councell, neither shall any thing new, or vnusuall in the Church be decreed without the consent of his Holinesse.

The Decrees of Reformation of *Regulars*.

The Decree of the reformation of the *Regulars* did containe two and twentie heads, with these particular precepts, in summe; 1. That all shall obserue the rule of the profession, especially in regard of the perfectio, which consisteth in vowes and essentiall Precepts, as also in regard of their common foode and apparell. 2. None shal possesse goods mooueable or immooueable, as their owne, neither shall their Superiours grant immooueables, so much as for vse, gouernement, or *Commenda*, and, in the vse of mooueables, there shall bee neither superfluitie nor want. 3. The Synode granteth to all

Monaste-

Monasteries, though *Mendicant*, except the *Capuchins*, and the *minor Obseruants*, to possesse immoueable goods, with command, that the number of religious in the Monasteries may bee established to containe as many as can be maintained by the rents or vsuall almes, neither shall such places bee built hereafter without licence of the Bishops. 4. No religious person shall goe to the seruice of any place or person, without leaue of his Superiour, nor depart from his Conuent, without his command. 5. Bishops shall haue care to restore, and preserue the enclosure of the *Nunnes*, exhorting Princes, and commanding Magistrates, vpon paine of excommunication, to assist them: *Nunnes* shall not goe out of the Monasteries, and none shall enter, vpon paine of excommunication, without exception of sex, condition, or age, except it bee with licence. The Cloisters of *Nunnes* which are without the walles of the Cities and Castles shall be brought within. 6. That elections bee made by secret scrutinie, and titulars shall not bee created to this effect, or the voyce of the absent supplied, otherwise the election shall be voyde. 7. In the Cloisters of *Nunnes* the Superiour shall bee fortie yeeres of age, and eight yeeres professed, or, where this cannot bee, of thirtie yeeres of age at the least, and fiue yeeres professed. No woman shall haue superioritie in two *Nunries*, and he that is to ouersee the Election, shall stand without the grates. 8. The Monasteries, immediatly vnder the Apostolique *Sea*, shall be reduced into a Congregation, and shal giue order for their gouernement, and their superiours shall haue the same authoritie as others haue, which haue beene formerly reduced into a Congregation. 9. The Monasteries of *Nunnes*, subiect immediatly to the Apostolique *Sea*, shall bee gouerned by the Bishops, as Delegates. 10. The *Nunnes* shall confesse and communicate, once a moneth, at the least, and, besides the ordinarie Confessor, one extraordinary shall bee giuen twice or thrice a yeere, and they shall not keepe the Sacrament within the Monastery. 11. That in *Monasteries*, which haue cure of the soules of Secular men, those who doe exercise it, shall bee subiect to the Bishop as farre as conterneth the ministerie of the Sacraments, except the Monasterie of *Clugni*, or where the *Abbats, Generals*, or *Heads* of the *Orders* doe reside, or where the Abbats haue Episcopall or temporall iurisdiction. 12. The *Regulars* shall publish, and obserue the Papall and Episcopall censures, and interdicts, as also the feasts which the Bishop shall command. 13. The Bishop shall bee iudge of all controuersies for precedence, betweene Ecclesiasticall persons, whether Secular or *Regular*, and no appeale from him shall lie; and all shall bee bound to goe to publique processions, except those who liue in strict inclosures. 14. The *Regular*, who resideth in the Cloister, and committeth an excesse abroad shall be punished by his Superiour, when the Bishop shall appoint, who also shall bee certified of the punishment, or otherwise the delinquent may bee punished by him. 15. Profession made before the age of sixteene yeeres compleat, and a yeere of probation, shall bee voide. 16. No renunciation or obligation shall bee of force, except it bee made within two moneths before the profession, and with licence of the *Ordinarie*; and the time of probation beeing ended, the Superiours shall admit the *Nouices* to the profession, or send them out of the Monasteries; but not meaning to

1563
Pius 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

1563 Pius 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

comprehend the *Iesuites*. The *Monasterie* shall not receiue any thing of a *Nouice* before the profession, except foode and apparell, and, at his departure, all shall bee restored that belongeth to him. 17. No virgin shall receiue the habit, or make profession, except shee bee examined by the Bishop, and her will well vnderstood, and that shee hath the conditions required by the rule of that Monasterie. 18. That all shall bee anathematized, of what condition soeuer, who shall (except in lawfull cases) force any woman to enter into a *Monasterie*, receiue the habit, or make profession, as also those who shall, without iust cause, hinder those who would enter willingly, except the *Penitenti*, or *conuertite*. 19. Hee that shall pretend a nullitie in the profession shall not bee heard after fiue yeeres from the first day thereof, and shall alleadge the cause before the Superiour and *Ordinarie*, before hee depose the habit, and none shall goe to a more large religion, nor haue leaue to weare the habit secretly. 20. The Abbats and Heads of the Orders shall visit the *Monasteries*, subiect vnto them, though but by *Commenda*, and the *Commendataries* shall bee bound to execute the Ordinations; and, in those, Priors and Superiours, who haue spirituall gouernement shall bee created by the Chapters, or visiters of the Orders. 21. That the Synode doeth desire to restore discipline in all *Monasteries*, but seeth it is impossible, in regard of the stiffenecked and difficult age; yet they will not omit to vse meanes, that hereafter prouision may bee made therein, and doe hope that his Holinesse, as farre as hee shall see the times will comport, will prouide that a *Regular* professed person shall bee made gouernour of *Monasteries* commended, and those that shall bee vacant hereafter shall not bee conferred but vpon *Regulars*; and those who haue *Monasteries* in *Commenda*, and are Heads of Orders, if prouision bee not made within sixe moneths of a *Regular* successor, they shall make prouision, or quit the place, otherwise the *Commendaes* shall bee vacant. And, in the prouision of *Monasteries*, the qualitie of euery one shall bee expressed by name, otherwise the prouision shall bee accounted surreptitious. 22. That it shall bee vnderstood that all *Regulars* are subiect to these Decrees, notwithstanding any priuiledge, though by foundation; commanding Bishops and Abbats to execute them immediatly, and praying, and commanding Princes and Magistrates, to assist them, as often as they shall be required.

The *Penetenti* or *Conuertite* are Nunnes who haue beene Courtisans.

The generall reformation.

The reading of the generall reformation did presently follow; which, after an exhortation to Bishops for exemplary life, modestie in apparell and food, and frugality, doth forbid. 1. That they shall giue to their kinred, or any of their family, any part of the reuenues of the Church, except they be poore; extending the same to all beneficed persons, secular, or regular, and also vnto Cardinals. 2. That the Bishops shall, in the first Prouinciall Councel, receiue the Decrees of this Synod of *Trent*, promise obedience to the Pope, *Anathematize* the heresies condemned, and euery Bishop promoted hereafter shall doe the same, in the first Synod; and all beneficed men, who are to assist in the Diocesan Synode, shall doe the same therein. Those who haue the care of Vniuersities, and studies generall, shall endeauour to make the decrees to be receiued in them, and the Doctours to teach the Catholique faith in conformity of them, and shall take a solemne oath herein,

herein euery yeere. And for those which are immediately subiect to the Pope, his Holinesse will haue care that they be reformed in the same manner by his Delegats, or as hee shall thinke fit. 3. That, howsoeuer the sword of excommunication is the sinew of Ecclesiasticall discipline, profitable to keepe men in obedience, it is to be vsed with sobriety and circumspection, hauing found by experience, that it is more contemned then feared, when it is denounced rashly, for a small cause. Therefore it shall not be denounced by any, but by the Bishop for things lost or stollen; who shall not grant it at the perswasion of any secular authority whatsoeuer, though a Magistrate. And in iudiciall causes, in which a reall or personall execution may bee made, they shall abstaine from censures; and in ciuill, belonging in what manner soeuer, to the Ecclesiasticall Court, they may vse pecuniary punishments, or proceed by distraining of goods, or imprisonment of the parties themselues, with their executors or others; and in case they be not able to execute really or personally, they may proceed to excommunication. And the same shall be obserued in criminall causes. The secular Magistrate shall not prohibite the Ecclesiasticall to excommunicate, or reuoke excommunication, vpon pretence that the Decree hath not beene obserued. The person excommunicated shall not onely not be receiued to participate with the faithfull, but, if he perseuere in the censures, he may be proceeded against, as suspected of heresie. 4. It doth giue power to the Bishops, in the Diocesan Synods, and to the Heads of the Orders, in the generall *Chapters*, to ordaine for their Churches that which shall bee for the honor of God, and benefite of them, when there shall be an obligation to celebrate so many *Masses* by testamentarie legacies, that they cannot bee performed, or that the almes is so small that none can bee found to performe the charge; but with condition, that memory be alwaies made of those parties deceased who haue left the legacies. 5. That, in the collation, or any other disposition of Benefices, no derogation bee made to the qualities, conditions, and charges required, or imposed in the erection or foundation, or by any other constitution; otherwise the prouision shall bee accounted surreptitious. 6. When the Bishop, not in time of visitation, doth proceed against the Canons, the *Chapter* shall elect two in the beginning of euery yeere, by whose counsell and consent, the Bishop shall proceed in all the acts, and the voices of both shall bee as one; and in case they both dissent from the Bishop, a third shall bee elected by them, who shall determine the controuersie; and if they cannot agree, the third man shall bee elected by the next Bishop. But, in causes of concubinaries, or other more hainous, the Bishop may receiue information alone, & proceed to retention; and for the residue, shall obserue what is ordained. The Bishop shall haue the first seate in the quire, *Chapter*, or other publique places, and shall choose his place. The Bishop shall preside in the *Chapter*, except in cases belonginig to him or his, which authority shall not bee communicated to his vicar; and those who are not of the *Chapter* shall, in causes Ecclesiasticall, be all subiect to the Bishop, and where Bishops haue more iurisdiction then the aforesaid, the Decree shall not haue place. 7. Hereafter no *regresse* or *accesse* to any Ecclesiasticall benefice shall bee granted, and those which be granted already, shall neither bee extended nor transferred;

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

1563 red: and herein the Cardinals ſhall be comprehended alſo. *Coadiutors*, with future ſucceſſion, ſhall not be made in any Eccleſiaſticall benefices whatſoeuer; and if, in Cathedrall Churches or Monaſteries, it ſhall be neceſſary to doe it, the cauſe ſhall firſt be knowen by the Pope, and the due qualities ſhall concurre. 8. All beneficed men ſhall vſe as much hoſpitality as their reuenue will giue them leaue: and it doth command thoſe who haue the gouernement of Hoſpitals, vnder what title ſoeuer, to exerciſe it, as they are bound by the reuenues deputed hereunto; and if perſons of that ſort as the inſtitution doth require be not found in the place, the reuenues ſhall be conuerted to a pious vſe as neere as can be to that, as ſhall ſeeme good to the Biſhop with two of the *Chapter*. And thoſe who will not giue ſatisfaction in this charge of hoſpitality, may be compelled (though they be Laikes) by cenſures, and other remedies, to performe their duety, and ſhall bee bound to the reſtitution of fruits in court of conſcience; and ſuch gouernements ſhall not be giuen hereafter to any, for longer time then three yeeres. 9. The title of Patronage ſhall be ſhewed to be authenticall by foundation, or donation, or by preſentations multiplied time out of mind, or by ſome other lawfull manner. But in perſons and communities, in whom vſurpation is vſually preſumed, the proofe ſhall bee more exact, and time immemoriall ſhall not ſuffice, except preſentations of fiftie yeeres at the leſt bee authentically ſhewed, and that they haue all taken effect. Other ſorts of Patronages ſhall be vnderſtood to be abrogated, except thoſe of the Emperour, Kings, poſſeſſours of Kingdomes, and ſupreme Princes, and of generall ſtudies. The Biſhop may refuſe to admit thoſe that are preſented by the Patrons, if they be not fit; and the Patrons ſhall not meddle with the fruits, neither ſhall the right of Patronage bee transferred againſt the canonicall ordinations: and the vnions of ſimple benefices to thoſe which haue right of patronage, if they haue not really taken effect, ſhall wholly ceaſe, and the benefices ſhall bee reduced to liberty, and thoſe that haue beene made within fourtie yeeres, though they haue beene executed, ſhall be reuiewed by the Biſhops, and if any defect be found, ſhall be made void, and likewiſe all Patronages ſhall bee reuiewed, made within fourty yeeres, for augmentation of dowrie of the Church, or for building it anew; and if they ſhall not bee found to bee for the euident vtility of the benefice, they ſhall bee reuoked, and that ſhall bee reſtored to the Patrons which is due vnto them. 10. That in Prouinciall Councels or Dioceſan, foure perſons at the leaſt, ſhall bee elected, endowed with fit qualities, to whom Eccleſiaſticall cauſes ſhall bee committed which are to bee delegated by the Legates, *Nuncij*, or Apoſtolique Sea, and all other delegations ſhall bee thought to bee ſurreptitious. 11. Money ſhall not bee receiued before hand for Eccleſiaſticall goods, in preiudice of the ſucceſſours, nor Eccleſiaſticall iuriſdictions rented out, neither ſhall the Farmours of them haue power to exerciſe them: and the farming of Eccleſiaſticall things, though confirmed by the Pope, done within thirtie yeares, for a long time, that is, for twenty nine or more yeares, ought to be iudged by the Prouinciall Synod to haue bin done with dammage of the Church. 12. Thoſe who are bound to pay tenthes, ſhall pay them hereafter, to whom they are intirely obliged, and he that with-holdeth

Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

them

1563
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

them ought to be excommunicated, and not to be absolued before restitution. And it exhorteth all, to whom God hath giuen wealth, to impart some of it to Bishops and Priests, who haue poore Churches. 13. Whereas the fourth of the funerals was vsually paid, vntill within these forty yeares, vnto the Episcopall or Parish Church, and was afterwards graunted to pious places, it shall be restored to them againe. 14. It doth forbid all Clearkes to keepe Concubines, or any suspected women, at home, or abroad, which if they forbeare not to doe after admonition, they shall bee depriued of the third part of their Ecclesiastical rents, & of all, after the second admonition, and suspended also from administration of the Sacraments; and, in case they perseuere, they shall be depriued of all Benefices, and made vncapable of any other, vntill they shall bee dispenced with: and if, after they haue forsaken them, they shall returne, they shall be excommunicated also, and the cognition of these causes shall belong onely to Bishops, summarily. But Clerkes, not beneficed, shall be punished with imprisonment, suspension, or inhabilitie. And if the Bishops themselues shall fall into the like error, and not amend, after admonition, giuen by the Prouinciall Synod, they shall be suspended, and, if they perseuere, they shall be delated to the Pope. 15. The sonnes of Clearkes, not borne of lawfull matrimony, shall not haue any Benefice or ministery in Churches where their fathers haue, or haue had a Benefice, nor haue any Pensions in Benefices, which the Fathers either haue now, or haue had: and if, at any time, the Father and Sonne shall be beneficed in the same Church, the sonne shall be bound to resigne within three moneths; prohibiting also resignations which the father shall make to another, that he may resigne his owne to his sonne. 16. Benefices with cure shall not bee conuerted into simple Benefices, and in those which are conuerted already, if the perpetuall Vicar hath not a conuenient reuenue, it shall bee assigned to him, at the pleasure of the Bishop. 17. Whereas some Bishops carry themselues basely towards the Ministers of Kings, men of preheminence, and Barons, as well in the Church, as without, and not onely giue them place, with too much indignitie, but serue them in person, the Synod, detesting this, and reuiuing the Canons conceerning the *Decorum* of Episcopall dignitie, doth commaund Bishops to forbeare this, and regard their degree, both in Church and without, remembring they are *Pastors*; and also commaundeth Princes, and others, to giue them honour, and reuerence, due to fathers. 18. The Canons shall be obserued indistinctly by all, and shall not be dispenced, but for a cause, heard with maturity, and without cost. 19. The Emperor, Kings, and Princes, who shall grant duel betweene Christians, shall be excommunicated, and depriued of the dominion of the place in which the duel is committed, if they hold it from the Church; and the Combattants, and Iudges of the combat, shall be excommunicated, haue their goods confiscated, and be perpetually infamous: and if they die in the duel, they shall not be buried in any sacred place, and those who giue them counsel, either *in iure* or *in facto*, or perswade them to the duel, and the lookers on shall be excommunicated. 20. In the end, the Article of Ecclesiasticall libertie, or reformation of Princes, which had beene so much examined, was read. In it the Synode doth admonish

The reformation of Princes.

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

moniſh ſecular Princes, hoping they will grant to the Church the reſtitution of her rights, reduce their ſubiects to reuerence the Cleargy, and not permit their officers and inferior Magiſtrates to violate the immunitie of the Church and Eccleſiaſticall perſons, but that, together with themſelues, the Princes, they will be obedient to the conſtitutions of the Pope, and of Councels, determining that all conſtitutions of generall Councels, & of the Apoſtolike *Sea*, in fauour of Eccleſiaſticall perſons, and libertie, ſhall be obſerued by all: admoniſhing the Emperour, Kings, Republiques, Princes, and all, to reuerence the things that belong to Eccleſiaſticall right, and not to ſuffer them to be violated by inferior Lords, their Magiſtrates, or Miniſters; that the Clerkes may reſide and performe their dutie, without impediment, and with edification of the people. After this a decree was read, neuer mentioned in any Congregation; by which the Synod doth declare, that in all the decrees of reformation, made vnder *Paul*, *Iulius*, and *Pius* in the Councel, with what words or clauſes ſoeuer, it ſhall be vnderſtood, that the authoritie of the Apoſtolike *Sea* is excepted, and preſerued.

A Decree concerning the Apoſtolike *Sea* neuer mentioned before.

Being not able to diſpatch all, the day being farre ſpent, the reſidue was deferred vntill the next morning, according to a determination made in the generall Congregation; in which the Congregation was made before day, howſoeuer newes was come that the Pope was better, and out of danger of death. The decrees of Indulgences, finiſhing the Councell, and demaunding confirmation were read, and approued by all. After dinner the Seſſion was held, in which the decree of Indulgence was read, containing in ſubſtance. That CHRIST hath giuen authoritie of graunting them to the Church, and hath vſed the ſame from all antiquitie. And therefore the Synod doth teach, and commaund, that the vſe of them ought to be continued, as profitable for Chriſtian people, and approued by Councels; and doth anathematize thoſe that ſhall ſay, they are vnprofitable, and that the Church hath not power to graunt them. And to preſerue the ancient cuſtome, and prouide againſt abuſes, it doth commaund that all thoſe offices of Pardonmongers be aboliſhed, and, for the other abuſes, it doth command the Biſhops that euery one ſhall collect all of his owne Church, and propoſe them in the Prouinciall Synod, to be referred to the Pope, who will take order therein. Concerning faſts, difference of meates, and obſeruation of feaſts, it exhorteth Biſhops to obſerue the precepts of the Roman Church; and for the *Index*; howſoeuer it was finiſhed, in regard the Synod hath not time to iudge of it, it doth ordaine that it ſhall be carried to the Pope, and referred to his cenſure; and the ſame ſhall be done concerning the *Catechiſme*, *Breuiarie*, & *Miſsall*. It publiſhed alſo another decree, that, by the places aſſigned to Ambaſ. it ſhall be vnderſtood that no man is preiudiced. In the end it prayeth the Princes to vſe meanes that the decrees of the Councel be not violated by the heretickes, but receiued and obſerued by them, and by all: in which if any difficultie or neceſsitie of declaration ſhall ariſe, the Pope, calling thoſe whom he ſhall iudge fit, from the places where the difficultie is, or calling generall Councels, or by ſome other meanes, will make prouiſion. Afterwards all the decrees of reformation made in this Councel vnder *Paul* and *Iulius*, as well of faith as of reformation, were recited. For the laſt thing, the

The Decrees of Indulgences, finiſhing the Councell, & of demanding y Popes Confirmation, &c.

The Decrees of the two former conuocations are recited.

the Secretarie, going into the midſt, did interrogate, whether the Fathers were pleaſed that an end ſhould be made of that Synod, and in the name of it, of the Legats, and Preſidents, a confirmation demaunded of Pope *Pius* the fourth, of all things decreed vnder *Paul, Iulius*, and his Holineſſe. And they anſwered not one by one, but all together, *Placet*. Cardinall *Morone*, as chiefe Preſident, graunted to euery one that was preſent in the Seſsion, or had aſsiſted in the Councell, a Plenary Indulgence, and bleſſed the Councell, and diſmiſſed them all; ſaying, that after they had giuen thanks to GOD, they might go in peace.

1563

PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The Councel is ended. And a plenary Indulgence is giuen.

It was an ancient cuſtome in the Orientall Churches, to handle the matter of Councels in a publique meeting of all, and, vpon occaſion, popular acclamations did often happen, and ſometimes tumultuous, which notwithſtanding did conclude in concord. And, in the end, the Biſhops, tranſported with ioy, for the vniforme determinations, did paſſe to acclamations, in praiſe of the Emperours who had aſſembled and fauoured the Councell, in commendation of the doctrine, declared by the Councell, in prayers to GOD for his continuall diuine aſsiſtance to the Church, for the welfare of the Emperours, and for the health and proſperitie of the Biſhops; which were not premeditated, but as the ſpirit did excite ſome Biſhop more zealous to breake out fitly into ſome one of theſe conceipts, ſo the common concourſe did cry with him. This was imitated in *Trent*, yet not giuing place to the extemporary ſpirit of any, but meditating what ſhould be propoſed, and anſwered, and repeating it out of a paper. The Cardinall of *Loraine* tooke vpon him to be the chiefe, not onely to compoſe the acclamations, but to thunder them out alſo; which was generally conſtrued for a lightneſſe and vanitie, not beſeeming ſuch a Prelate, and Prince, to doe an office which did belong rather to the Deacons of the Councell, then to ſo principall an Archbiſhop and Cardinall. The Cardinall roaring, and the Fathers anſwering, A long life for his Holineſſe, and eternall felicitie for *Paul*, and *Iulius*, were prayed for; likewiſe eternall memory for *Charles* the fift, and for the Kings, protectors of the Councel, long life for the Emperour *Ferdinand*, and for the Kings, Princes and Republiques; many thanks were giuen to the Legats and Cardinals, and long life wiſhed vnto them; life and happy returne to the Biſhops, & the faith of the holy generall Synod of *Trent* was commended as the faith of S. *Peter*, of the Fathers, & of the Orthodoxe. An *Anathema* was denounced againſt all Hereticks in generall, in one word only, not ſpecifying either ancient, or moderne. The Fathers were cõmanded, vpon paine of excommunication, to ſubſcribe the Decrees with their owne hand. The next day, being Sunday, was ſpent in this: and to doe it in order, there was, as it were, a congregation. And the ſubſcriptions were of foure Legats, two Cardinals, three Patriarkes, fiue and twentie Archbiſhops, 268. Biſhops, ſeuen Abbats, nine and thirty Proctours of men abſent, ſeuen Generals of Regular orders. And howſoeuer it had beene determined that the Ambaſſadours ſhould ſubſcribe after the Fathers, yet a contrary reſolution was then taken, for two reſpects. One was, that the French Ambaſſadour being not there, if the ſubſcriptions of the others ſhould be ſeene, and not his, it might bee thought a manifeſtation that the French-men would not receiue the Councell.

The cuſtome of Acclamations is imitated in *Trent*.

Wherein the Car. of *Loraine* was chiefe.

An excommunication of hereriques in generall onely.

The number of thoſe that ſubſcribed.

The ambaſſadors did not ſubſcribe, for two cauſes.

1563 Pivs 4. Ferdinand. Elizabeth. Charles 9. Philip 2.

Councell. The other becauſe the Count of *Luna* had ſaid that hee would not ſubſcribe abſolutely, but with reſeruation, becauſe his King had not conſented to the ending of the Councell. And the Legats publiſhed, that it not being the cuſtome that the Decrees ſhould be ſubſcribed by any that hath not a deliberatiue voice, it would be a thing vnuſuall, if the Ambaſſadours ſhould.

The Popes ſickneſſe made a great confuſion in the Court.

In *Rome*, when the Pope fell ſicke, all fearing his life, there was much confuſion in the Court. For neuer hauing knowen a Pope die in time of a Councell, they were very fearefull what might happen. They had the example of the Councell of *Conſtance*, which, in the election, ioyned other Prelats to the Cardinals; and they were afraid that this, or ſome worſe thing might happen. And howſoeuer the Spaniſh Ambaſſadour *Vargas* affirmed, that the Spaniſh Ambaſſadour and Prelats in *Trent* had commiſſion, that the election ſhould be made by the Cardinals, yet in reſpect of their ſmall number, theſe wordes did not fully aſſure them. But the Popes recouerie gaue them much ioy: which was encreaſed by the concluſion of the Councell, as being now fully deliuered from great danger. And the Pope ordained a ſolemne proceſſion, to giue thankes to God for this great benefite. In Conſiſtory he ſhewed what contentment he had in the Councell. Hee ſaid hee would confirme it, adde many reformations vnto it; that hee would ſend three Legats, into *Germanie*, *France*, and *Spaine*, to perſwade the execution of the Decrees, to grant things honeſt, and to eaſe them in matters of poſitiue Law.

A diſpute in *Rome* about the confirmation of the Decrees.

The Legats, *Morone* and *Simoneta* returned to *Rome* before Chriſtmas, from whom the Pope was willing to haue a particular relation, in many audiences, of all that happened, and tooke a note of the names of the Prelates who had taken paines in the Councell, that he might create them Cardinals. The Court, vnderſtanding that the Pope was reſolued for the confirmation, changed their ioy into griefe; and all the officers complained of the loſſe they ſhould receiue in their offices, if that reformation were executed. And they conſidered moreouer, that thoſe Decrees being conceiued in generall termes, and without clauſes of ſubtill explication, as often as any difficultie did ariſe, the world, now accuſtomed to barke againſt the Court, would make an interpretation contrary to their intereſts; which would be embraced, as a thing of faire ſhew, couered with the title of Reformation. Supplications and memorials were giuen to the Pope by thoſe, who, hauing bought the offices, and foreſeeing this loſſe, demanded reſtitution: a thing which the Pope did not neglect, and thought it did deſerue a good remedie, leſt there might be a deſolation in *Rome*. Whereof hauing diligently conſidered, he deputed Cardinals to conſult vpon the confirmation, and to thinke vpon ſome remedie for the complaints of the Court. Some Cardinals did aduiſe to confirme immediatly the Decrees of faith, and to proceede with maturitie in the other. For ſome did deſerue much conſideration, in regard of their ſmall profit, and great confuſion they might bring, and others muſt be neceſſarily diſpenſed with, in regard of their impoſſibilitie, or great difficultie, at the leaſt; which could not be done with any *decorum*, nor without giuing much matter of diſcourſe. Beſides it would be neceſſary to haue much

much consideration that they might be so executed, that no man might receiue losse or preiudice, that prouision not deseruing the name of reformation, which is with the detriment of any; but by deferring, time, and the diligence of many would discouer what might be done with common satisfaction of all, without which all reformations are turned into deformations. The Pope therefore elected eight Cardinals to reuiew them; who after long discussion, were almost all of opinion, that it was fit they should be moderated before the confirmation, and thought, that, beeing to suffer some opposition, it was better to doe it in the beginning, then, giuing them reputation by confirming, to moderate them afterwards. It is certaine, that they who did procure the Councell, had no aime but to pull downe the Popes authority, and, while the Councell did last, euery one did speake as if it had power to giue lawes vnto him. Notwithstanding it must now appeare by nullifying or moderating some of those Decrees, that the Pope is not to receiue lawes, but to giue them to Councels. 1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILYP 2.

The Pope beeing of himselfe inclined to the confirmation, and induced also thereunto by the perswasions of *Morone*, and *Simoneta*, yet perplexed with the querimonies of the Court, and the generall opinion of the Cardinalls, that hee might come to a resolution, besides those aforenamed, hee called the Cardinals of *Bordisiera*, and *Amulius*, as also the principall officers of the *Chamber*, *Chancery*, and *Rota*: to whom the matter beeing proposed, the foure Cardinals did vniformely aduise that the Councell should be confirmed absolutely. Cardinall *Amulius*, in whose memorials I haue seene this negotiation, said, that his Holinesse by his patience, wisdome, vertue, and with immense charge, and with the paines and charge of so many Prelates, had seene the end of a great and difficult enterprise, to assemble, direct, and finish the Councel; now a greater did remaine, but without difficulty, that is, to keepe himselfe, the Apostolique Sea, and all the Ecclesiasticall order, from returning into the same straits, danger, inconueniences, and expences; that, for these fourty yeeres, the world hath spoken of nothing but of the Councell, which the Popes could not, by any meanes, diuert, in regard of the certaine perswasion conceiued of the necessitie thereof, and of the fruit it would produce. But if, so soone as it is ended, question be made of correcting or moderating it, or it bee left in suspence for want of confirmation, it will bee a manifestation that prouision hath not beene made in *Trent*, for that which was necessarie, and expected, and suddenly another meanes of prouision will be vsed, either by Nationall Councels, or another generall. And heere behold the same straights, out of which the Church, with so great difficultie, hath beene deliuered by God. But approouing the Decrees, as a perfect reformation, and giuing them credit, and as much execution as is possible, many will beleeue that nothing is wanting, and nothing is more profitable for the present times, then to spread a fame, and nourish it, that the Councell hath made an holy, necessarie, and perfect reformation, not suffering it to be knowne that any Cardinal hath doubted that it hath not performed that for which it was called. By so doing the humour of the world will be quiet by degrees, and his Holinesse may prouide for his ministers and seruants by dispensations, without violating the Decrees of the Councell,

1563
Pivs 4.
Ferdinand.
Elizabeth
Charles 9.
Philip 2.

Councell, becauſe in them the Apoſtolike authoritie is reſerued; which may ſerue him for a buckler to denie the importunate demands of thoſe whom he will deeme vnworthie of fauour, and, in time, things will inſenſibly, the world not obſeruing it, returne vnto the ſame ſtate. He ſaid this courſe was taken heretofore when neceſſitie compelled to yeeld to theſe humors, which vſually are bred in ſubiects againſt the gouernours; that when others doe oppoſe the Decrees, it was fit to maintaine them, for reputation of ſo many of his creatures, of his Legates, and of himſelfe alſo; much more ought hee not to nullifie them wholly, as would bee done by euery little moderation, correction, or delay of confirmation; which the world would iudge to bee a mortall wound vnto them all. Beſides, the vulgar, who doe alwayes make the worſt interpretation, will haue nothing to ſay, but that the Court and Pope will not endure a reformation.

This was oppoſed by almoſt all the officers of the Court, repreſenting their loſſes and preiudices, and ſhewing how all would redound to the offence of his Holineſſe, and of the Apoſtolike *Sea*, and diminution of his reuenues. Onely *Hugo Buoncompagno*, Biſhop of *Beſtice*, who was Cardinall afterwards, a man much conuerſant in Court affaires, ſaid he could not chooſe but wonder at this great feare, which he ſaw did ariſe without reaſon; that, by confirmation of the Councell, more authority was not giuen it then other general Councels had, or then was giuen to the Decree, or Decretals, by the great number of which, and by their plaine ſpeaking againſt the preſent manners, many more preiudices and offences might ariſe, then could do by theſe few decrees of *Trent*, much reſerued in the forme of words; that no law doth conſiſt in the tearmes, but in the meaning, not in that which the *vulgar* and Grammarians doe giue it, but which vſe and authority doth confirme; that lawes haue no power but what is giuen them by him that gouerneth, and hath the care to execute them; that hee, by his expoſition, may giue them a more ample, or a more ſtrict ſence, yea and contrary to that which the words doe import, and that it would bee no more to reſtraine or moderate the Decrees of *Trent* now, then to ſuffer them to bee reſtrained by vſe, or by an expoſition, in times conuenient. Hee concluded that hee ſaw no cauſe why there ſhould bee any difficultie about the confirmation. But hee put them in minde to withſtand preſently the inconueniences which might ariſe by the temeritie of the Doctors, who, the more ignorant they are of gouernement and publike affaires, the more they take vpon them to giue interpretation to lawes, which doth confound authoritie; that experience ſheweth that lawes doe no hurt, nor cauſe any ſuite, but by the diuers ſenſes giuen vnto them; that by the conſtitution of *Nicolas* the third, vpon the rule of Saint *Francis*, a matter full of ambiguities in it ſelfe, neuer any diſorder did ariſe, becauſe hee forbade all Gloſſators, and Commentators to expound it; that if ſuch prouiſion bee made for the Decrees of *Trent*, and all men forbid to write vpon them, a great part of that which is feared will bee withſtood. But if his Holineſſe will forbid all interpretations, euen to the Iudges alſo, and ordaine that in all doubts they ſhall come for expoſition to the Apoſtolique *Sea*; no man will bee able to make vſe of the Councell in preiudice of the Court, which by vſe, and by interpretations,

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

pretations, may bee accommodated to that which will be for the benefit of the Church. And, as there is a Congregation which, with great fruit, doth take care of the Inquisition, so his Holinesse may appoint another for this particular of expounding the Councell, to whom all doubts shall bee referred from all parts of the world. This being done, hee said hee foresaw that, by the Decrees of the Councel, the authoritie of the Apostolike *Sea*, the rights and prerogatiues of the Church of *Rome* will not onely not be diminshed, but increased, and inlarged much, in case they know how to make vse of these meanes. Those that heard him were mooued by these reasons; and the Pope saw it was necessarie to come to the absolute confirmation, without any modification; and being perswaded that it would fall out as the Bishop had said, he was peremptorie not to hearken to any thing that could be spoken against it, but, full of hope to collect much fruit by the paines taken for finishing the Councell, hee resolued to confirme it, to reserue the interpretation to himselfe, and to institute a Congregation, as the Bishop had counselled: and, hauing imparted this to the Cardinals apart, hee determined to effect it.

All glosses or interpretatiõs are forbid to be made vpon the Decrees of the Councel.

Therefore the sixe and twentieth of Ianuary, *Morone* and *Simoneta* hauing related in Consistorie the tenor of the Decree, made in the last Session, that the confirmation should bee desired by them, they demanded, that his Holinesse would vouchsafe to confirme all that which hath beene decreed, and defined in that Councell, vnder *Paul*, *Iulius*, and his Holinesse. The Pope, first causing the decree to bee read, asked the opinions of all the Cardinals. They were all for the confirmation vniformely, except the Cardinals, Saint *Clement* and *Alexandrinus*; who said that too much authoritie had beene giuen to Bishops in that Councell, and that it was necessarie to moderate it, and then to make an exception of those points that did inlarge it too much, which were noted alreadie. In the end, the Pope concluded, that it was good to confirme all without exception, and so hee did in words, in the consistorie, confirming them, and commanding that they should be receiued, and inuiolably obserued by all the faithfull; and the same day he published a Bull, subscribed by all the Cardinals; in which, hauing related the causes of calling the Councell, the progresse, the impediments and difficulties which happned from time to time, and his diligence in fauouring the libertie thereof, granting them free power ouer the things reserued to the Apostolike *Sea*, he thanked God that it was ended with an intire consent. Therefore, being desired, in the name of the Synod, for confirmation, knowing the Decrees to be all Catholike, and profitable for Christians, hee hath confirmed them in Consistorie, and doth confirme them by that writing, commanding all Prelats to cause them to bee obserued, and exhorting the Emperour, Kings, Republiques, and Princes, to assist for the obseruation of them also, to fauour the Prelates, not to permit their people, but rather to prohibite them by all meanes to imbrace opinions contrary to the doctrine of that Councell; and, to auoid confusion, he forbad all sorts of persons, as well Clerkes as Laiques, to make any Commentaries, Glosses, Annotations, or any interpretation whatsoeuer vpon them, or to make any kind of Statute, though vnder pretence of greater strength, or better execution of the Decrees, but that, if any

1563 Pius 4. Ferdinand. Elizabeth Charles 9. Philip 2.

obscure place wanted interpretation or decision, they should haue recourse to the Apostolike *Sea*, because hee did reserue vnto himselfe power to declare the difficulties or controuersies, as also the Synod had alreadie decreed.

This Consistoriall Act of confirmation, and the Bull, were printed, together with the Decrees; which gaue matter of speech, it appearing by the tenor of them, that the Decrees had not vigor, as constituted by the Councell, but as confirmed by the Pope. Whereupon it was said, that one had heard the cause, and another had giuen the sentence. Neither could it bee said that the Pope had seene the Decrees before hee confirmed them, because it did appeare, by the consistoriall Act, that hee had onely seene the Decree for desiring the confirmation. They said also, that the Decrees made vnder *Paul* and *Iulius* were read in *Trent*, and that it was fit they should be confirmed by those that heard them, rather then by him that did not know them. But others answered, that there was no neede the Pope should then see them, because nothing was done in *Trent* which was not first resolued by him. In many consistories following the Pope spake for the obseruation of the Decrees of the Councell, saying he would obserue them himselfe, though hee was not bound, and gaue his word that hee would neuer derogate from them but for euident and vrgent causes, and with consent of the Cardinals. He charged *Morone*, and *Simoneta*, to be diligent in aduertising him, if any contrary thing were proposed, or handled in Consistorie: which was but a small remedie against the transgressions, because not an hundreth part of the grants made in *Rome* are dispatched in Consistorie. He sent the Bishops to their residence, and resolued to make vse of the *Protonotaries*, and *Referendaries* in gouerning the citie of *Rome*, and the Ecclesiasticall state. But howsoeuer he was freed from great trouble, by the conclusion of the Councell, yet there were some remainders of it in all kingdomes, which brought new difficulties vpon him.

The Decrees of the Councel haue power from the Popes confirmation.

And are executed in *Spaine* by the Kings authority only.

Aduice came out of *Spaine* that the King was offended with the ending of the Councell, and determined to call the Bishops and agents for the Clergie of *Spaine* before him, to set downe in what manner it might bee executed. And the aduice was not false. For not only all that was done in *Spaine*, for receiuing and executing the Decrees of the Councell that yeere, partly in the Spring, and partly in the Autumne, was by order and resolution taken in the Kings Councell, but the King sent also his Presidents to the Synods, which were held, causing to bee proposed that which pleased him, and was fit for his seruice; to the great distast of the Pope, who was angry the King should take so much vpon him in matters Ecclesiasticall. But hee made no demonstration heereof to his ministers, purposing to make vse of it in another opportunitie, designed by himselfe; which shall be related in due place.

Which maketh the Pope angry.

The Card. of *Loraine* is taxed in *France* at his returne.

The President *de Ferrieres*, hauing, while hee remayned in *Venice*, made obseruations vpon the Decrees of the two last Sessions held after his departure from *Trent*, and sent them to the Court, the Cardinall of *Loraine*, at his returne into *France*, had many assaults, and reprehensions, for consenting to things preiudiciall to the Kingdome. They said, that, by the words of the first Article of reformation in the last Session, where it is said, that the

Pope

Pope hath charge of the vniuerſall Church, in *Latin*, *Solicitudinem Eccleſiæ* 1563
vniuerſæ, hee had yeelded the point which himſelfe and all the French Bi- Pivs 4.
ſhops had ſo long contended for, and obtained, that preiudice might not Ferdinand.
bee done to the opinion of *Fraunce*, of the ſuperioritie of the Councell a- Elizabeth.
boue the Pope; that he might haue remedied this with one little word, by Charles 9.
making them ſay, as S. *Paul* had done, *care of all the Churches*, becauſe no man Philip 2.
would haue denied that kind of ſpeech which S. *Paul* did vſe; that preiudice was likewiſe done to the ſame opinion of the ſuperioritie of the Councell in the one and twentieth Article of the laſt Seſſion, ſauing, in all the Decrees, the authoritie of the Apoſtolique *Sea*: and in the laſt Decree for demanding the Popes confirmation. It was oppoſed alſo, that the King, and French Church, hauing conteſted that the Councell might bee declared to bee new, and not the old continued, the continuation was declared, that it was one Councell with that of *Paul* and *Iulius*, in the ſayd one and twentieth Article, and in the Decree for reading the things conſtituted vnder thoſe Popes; by which all was baſely yeelded which had been two yeeres maintained by the King. They ſayd moreouer, that the approbation of the things done vnder *Iulius* was diſhonourable, and preiudiciall to the proteſtation then made by King *Henry* the ſecond. But they reprehended aboue all, that honourable mention hauing beene alwayes made vnder *Paul* and *Iulius*, of King *Francis* the firſt, and King *Henry* the ſecond, together with *Charles* the fifth, the Cardinall had not cauſed a memorie to bee made of them in the acclamations, when it was made of *Charles*, nor the preſent King to bee named, when the liuing Emperour was. The Cardinall excuſed other things, ſaying, that, with ſixe Prelates, (for hee had no more in his companie) hee was not able to reſiſt the conſent of more then two hundred. But this laſt oppoſition hee knew not how to excuſe, though hee ſaid it was to preſerue the peace of the two kningdomes. For it was replied that he might haue ſuffered others to make the intonation, and not to haue beene the authour himſelfe of that preiudice. And ſo it is ſeene, that vaine men often times, thinking to gaine reputation by *retaile*, doe looſe it in *groſſe*.

The cenſure of the Parliament of *Paris* vpon the laſt Seſſion.

But the Counſellers of the Parliament found many other things to oppoſe againſt the Articles of reformation, publiſhed in thoſe two Seſſions, where the Eccleſiaſtical authoritie they ſayd was inlarged beyond its bounds, with the wrong and diminution of the temporall, by giuing power to Biſhops to proceede to pecuniary mulcts, and impriſonment, againſt the *Laitie*; whereas no authoritie was giuen by CHRIST to his Miniſters, but meere and pure ſpirituall; that when the Clergie was made a member and part of the policie, the Princes did, by fauour, allow the Biſhops to puniſh inferiour Clergie-men with temporall puniſhments, that diſcipline might bee obſerued amongſt them, but to vſe ſuch kinde of puniſhments againſt the *Laiques*, they had neither from the Law of God nor of man, but by vſurpation onely; that, in the matter of Duell, they pretend to proceede againſt the Emperour, Kings, and other Soueraignes, who grant it in their Kingdomes, euen by excommunication, whereas their opinion was, that to permit Duell, in ſome caſes, was not amiſſe, as the permitting of

1563 fornication, and other offences, howbeit they are sinnes, was not ill, in re-
gard of publique vtilitie, and to auoyd greater inconueniences. They said,
Pius 4. Ferdinand. that this power beeing naturall, and giuen to the Princes by God, could not
Elizabeth. Charles 9. Philip 2. bee taken away, or restrained by any power of man. They thought it also
intolerable, to excommunicate Kings and Princes, holding it for a sure ma-
xime in *France*, that the King cannot bee excommunicated, nor his officers,
for execution of their offices. They added, that to depriue Princes of their
States, Lords of their Fees, and to confiscate the goods of priuate men, were
all vsurpations of the temporall authoritie, because that which was giuen
by Christ to the Church, doeth not extend it selfe to things of this
nature.

Concerning Patronages, they said great wrong was done to the Seculars,
in disabling their proofes, and that the whole Article was grounded vpon a
false *maxime*, that all benefices are free, if the Patronage bee not prooued.
For Churches haue no temporall goods but granted by the seculars, who can
not be presumed to grant them so, as that they may bee managed and dissi-
pated at the pleasure of the Ecclesiastiques: by which meanes it ought to
bee presupposed, that euery benefice had a Patrone, from the beginning of
it, except an absolute donation, with a totall cession of the Patronage, can
be shewed. And as the Common-wealth or Prince doth succeed him that
hath no heire, so all benefices, the patronage of which doth not belong to
any, ought to be vnder the publique patronage. Some mocked that forme
of speech, that benefices which had Patrons were in seruitude, and the others
free, as if it were not plaine seruitude to bee vnder the disposition of the
Court of *Rome*, which doth manage them contrary to the institution, and
foundation, whereas the seculars doe preserue them. Besides the censure
of some decrees for this cause, they added, that others were against the cu-
stomes and immunities of the French Church; as the reseruation of great
criminall causes against Bishops to the cognition of the Pope alone, taking
away the power of Prouinciall and Nationall Councels, which haue alwaies
adiudged them in all cases, and burthening the Bishops, by forcing them to
litigate out of the Kingdome, contrary not onely to the custome of *France*,
but to the Canons of ancient Councels also, which haue determined that
such causes should bee iudged, and ended in their proper Countries. They
saide it was against iustice, and the vse of *France*, that benefices should bee
clogged with *Pensions* and *Reseruations* of fruits, as was obliquely determi-
ned. Likewise, that it was not tollerable, that causes of the first instance
should be taken out of the Kingdome by the Pope, because it taketh away a
very ancient vse, confirmed by many constitutions of Kings. Neither
could it be iustified by the exception, of vrgent or reasonable cause, experi-
ence of all times hauing shewed, that all causes may bee taken out of the
Kingdome by this pretence. For he that would dispute whether the cause
were vrgent or reasonable, doth enter into a double charge and difficulty;
because not onely the principall cause, but that article also must be discussed
in *Rome*. They did, by no meanes, approoue that the possessing of immo-
ueables should be granted to begging Friars; and said, that they hauing beene
receiued into *France*, with that institution, it was iust that they should bee
maintai-

maintained in the same state; that this was a perpetuall Artifice of the Court of *Rome*, to take goods out of the hands of seculars, and to draw them into the Clergie, and afterwards to *Rome*; that the Munkes did first gaine credit, by pretence of the vow of pouerty, as if they aimed at no temporall thing, but did all in charity, for the good of the people; afterwards, hauing gained reputation, the Court doth dispense with them for their vow, by which meanes the Monasteries being made rich, are giuen in *commenda*, and finally all commesh to the Court. To this they added an exhortation in the twelfth article, made to all the faithfull, to giue largely to Bishops, and Priests, which had beene good, in case they did serue the people as they ought, and were in need. For so *Paul* doth exhort, that he that is instructed in matters of faith, should giue some part of his goods to him that doth instruct him. But when hee that beareth the name of a *Pastor*, doth intend rather any other thing then to instruct the people, the exhortation is not fit; and the rather, because Ecclesiasticall goods formerly were for maintaining the poore, and redeeming slaues; for which cause not the immoueables only, but euen the very ornaments of the Church, and holy vessels were sold. But in these last times it is prohibited to doe it, without the Pope; which hath enriched the Clergie exceeding much. In the *Mosaicall* law, God gaue the tenth to the Leuites who were the thirteenth part of the people, prohibiting that any more should be giuen vnto them; but the Clergie now, which is not the fiftieth part, hath gotten already, not a tenth onely, but a fourth part, and doth still proceed and gaine, vsing also many Artifices therein. They said that *Moses*, hauing inuited the people to offer for the fabrique of the *Tabernacle*, when as much was offered as did suffice, did forbid them, in the name of God, to offer any more; but here no end will be found, vntill they haue gotten all, if men will continue in the *lethargie*. If some Priests, and religious persons bee poore, it is because others are excessiuely rich; and an equall diuision would make them all rich abundantly. But to omit these so euident considerations, if they did exhort the people, to assist the poore Bishops and Priests in their necessities, it would bee tollerable; but to say they should bee assisted to maintaine their dignitie, which is their pride and luxurie, doth signifie nothing but that they are quite without shame. It is true that, in exchange, another Decree was made in the eighteenth Article, in fauour of the people, that dispensations should be giuen *gratis*; which being commanded by CHRIST, and not obserued, there was no hope that this Decree would doe any more good.

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

These things being obiected to the Cardinall of *Lorraine*, that hee had authorized them, against the expresse commandement of the King, in his letters of the twentie eighth of August before mentioned, hee defended himselfe in one word onely, that in the Congregation of the tenth of November, the Decrees being read, to bee published in the Session, the next day, the rights and authority of the French King, and priuiledges of the *Gallican* Church were reserued. Whereunto Monsieur *le Feure* replied, that himselfe and his colleague hauing vsed all diligence to haue a copie of that Decree, they could neuer obtaine it, and that, in humane affaires, not to appeare was as much as not to bee. Besides, this did not serue to excuse the things publi-

The defence of the Card. of *Loraine*.

1563
Pivs 4.
Ferdinand.
Elizabeth.
Charles 9.
Philip 2.

shed in the last Session. But that which was saide concerning the Synode in the Councels of the King and Parlament, was nothing to that which the Bishops and Diuines, and their seruants also, according to the French libertie, did relate to euery one, vpon all occasions, making iests at the discords, and contentions betweene the Fathers, at the practises and interests with which the matters of reformation were handled. And those who were most familiar with the Cardinall of *Loraine*, spake most of all. And it passed in *France*, in manner of a *Prouerbe*, that the moderne Councell had more authoritie then that of the Apostles; because their owne pleasure onely was a sufficient ground for the Decrees, without admitting the holy Ghost.

The censure made by the French BB. of the Councell, after their returne into *France*.

A Prouerbe made in *France* concerning the Councell.

But, in *Germany*, the Decrees of reformation were not thought considerable, neither by the Protestants, nor by the Catholiques. The Protestants did examine the matter of faith onely. They said, that to haue spoken one word incidently in handling the *Masse*, that it doth assist the dead, which also may receiue diuers sences, and, in the decree of *Purgatorie*, to alleadge it as a definition of the Article, was a thing not to be vsed in Councels, especially in this, where the matters were minced, and an Article of faith made of euery question, which could be mooued in any matter. And to commend Bishops to teach the sound doctrine of *Purgatorie*, without declaring what it is, did shew that the Fathers had great hast to depart from *Trent*. But in the matter of Saints the hast was greater, condemning, in one breath, and in one period eleuen Articles, not declaring what condemnation it was, or whether they were condemned of heresie, or for any other cause, and, after a long discourse of Images, anathematising those that speake against the decrees, without letting them know which it doth comprehend vnder the *Anathema*, whether the immediatly precedent concerning Images, or all the others aboue written. But of *Indulgences* they spake more then all the rest; that these gaue occasion of the present diuision amongst Christians; that the Councell was principally assembled for these; that, in that matter, there is no part which is not controuersed, and vncertaine, euen amongst the Schoolemen themselues; and yet the Synod hath passed them ouer, without cleering any doubt, or deciding any controuersie. And concerning the remedy of abuses, they spake in such ambiguous termes, that it could not bee vnderstood what they did approue or disapproue; saying, they did desire a moderation, according to the old custome approued in the Church. For it is certaine, and cannot bee concealed, that, in no Christian Nation of the Easterne Church, either in ancient or moderne times, there neuer was any vse of *Indulgences*, of any kind whatsoeuer. And in the West, if, by ancient custome, they meane that which was obserued before *Vrban* the second, in the yeare 1095. no proofe can bee brought of the vse of *Indulgences*. If from that time vntill the yeare 1300. it will appeare, that the vse of them hath beene very sparing, and onely to free men from punishments imposed by the *Confessor*. Afterwards, from the Councell of *Vienna* the abuses began, which did increase very much, vntill the time of *Leo* the tenth, so that the Councel desiring the restitution of the old custome, approued in the Church, it was necessary to declare in what Church, and in what time. But those words, that

The censure of the Councel in *Germany*

the

the Eccleſiaſticall diſcipline is weakned by too much facilitie in graunting *Indulgences*, are a plaine confeſſion, that they belong not to the conſcience, nor do free men from any thing in the ſight of God, but touch the externall onely, that is, the Eccleſiaſticall diſcipline. For the difference of meates and faſts, they ſaid, that to commaund them was good, but that was not decided of which the world complained, that is, that they did bind the conſcience. Therefore the Princes of *Germanie* held none eſteeme of this Councel. Onely ſome few miniſters of the *Auguſtan* confeſſion publiſhed a proteſtation, of which but little account was made. The Catholikes did not think of the doctrine of *Purgatorie*, and of Indulgences, deſiring onely to obtaine the Communion of the Cup, mariage of Prieſts, and relaxation in the multitude of precepts *De iure poſitiuo*, concerning faſts, feaſts, and ſuch other things.

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

For whoſe ſatisfaction the Emperour, and Duke of *Bauaria* made inſtance to the Pope. The Emperour wrote letters to him, dated the foureteenth of February; ſaying, that, during the Councel, he had laboured to obtaine the grant of the Cup, not for any priuate intereſt, or ſcruple of conſcience which hee had, but becauſe he did beleeue, and doth ſtill that the graunt is neceſſary, to bring backe to the Church thoſe that wander; that he did then tollerate the impediments interpoſed, to treat thereof with the principall Prelats, and Princes of the Empire, with whom hauing conferred whether it were expedient to renew the ſame requeſt, they thought fit hee ſhould inoue his Holineſſe therein. Therefore, calling to mind what the Cardinals *Morone* and *Loraine* had cauſed to be told him, which was confirmed alſo by the Biſhop of *Lieſina* his *Nuncio*, he would no longer deferre to demand the grace of him, without repeating any more the weighty cauſes that did conſtraine him, deſiring him to aſſiſt the *Germane* Nation, to which all wiſe Catholikes doe thinke that the graunt will be very beneficiall; adding, that, to preſerue the remainder of religion in *Germanie*, and extirpate hereſies, it will be of great moment to grant, that Prieſts, who are ſeparated becauſe they are married, may bee reconciled, and retaine their wiues, and that hereafter where there is not a ſufficient number of Prieſts, married men of good life and fame may be admitted to the Prieſthood. For this he praied him in his owne name, and in the name of the Duke of *Bauaria*, his ſonne in law, aſſuring him that he ſhould do a thing worthy of his pietie, and moſt acceptable.

The Emperor writeth to the Pope about the communion of the Cup.

The letters of the Duke of *Bauaria* did containe; that, hauing ſent often to his Holineſſe, to ſhew the miſerable State of *Germany*, in matters of religion, he did hope hee ſhould not long deſire the medicine; which ſeeing it was not applied vntill then, he, together with the Emperor, and Eccleſiaſticall *Electors*, did pray him to grant power to the Arch-biſhop of *Salzburg* to giue leaue to Catholike Prieſts to adminiſter the Cup to thoſe who haue confeſſed, and are penitent, and doe beleeue the other articles of religion: which grant would giue ſatisfaction to his ſubiects, who remaine in his State, and to thoſe alſo who go forth of his Dominions to ſeeke thoſe who will miniſter it vnto them; that himſelfe will alwaies be content with one kind, nor will force any to vſe the Cup, who, as himſelfe, will be content with the bread onely; that for theſe he demaundeth nothing, but that it ſeemeth to him not inconue-

And ſo doth the Duke of *Bauaria*.

1563
PIVS 4.
FERDINAND.
ELIZABETH.
CHARLES 9.
PHILIP 2.

inconuenient for the *Vicar* of CHRIST to haue pitie vpon the others also. Likewise he prayed his Holinesse that hee would grant, for some time at the least, that married Priests may bee reconciled to the Church, keeping their wiues, and married men ordained also.

A remonstrance concerning the same grant.

To these Letters was added a Remonstrance, or consideration, composed by the Diuines of *Germanie*; in which it was said. That it was plaine, that the Scripture of the New and Olde Testament doeth permit Priests to haue wiues, because the *Apostles*, some few excepted, were married; neither is it found that CHRIST, after their vocation, did separate their wiues from them. That in the Primitiue Church, as well Orientall, as Occidentall, the marriages of Priests were free, vntill the time of *Calistus* the Pope; that the ciuill Lawes did not condemne the marriage of Clerkes; that it is certaine, that single life is better in the Clergie, and more to be desired, but that, in respect of the fragilitie of nature, and difficultie to be continent, there are but few who doe not feele the prickes of the flesh. Therefore *Eusebius* relateth, that *Dionisius* did admonish *Quintus* the Bishop, that hee should consider of the weakenesse of the *maior* part, and not lay the burthen of single life vpon the brethren. And *Paphnutius*, in the Councell of *Nice*, saying, that the vse of ones owne wife was chastitie, perswaded the Councell not to impose the law of single life. And the Synod of *Constantinople* did not forbid the vse of wiues, but in the time when they were to offer sacrifice. That if euer there were cause to permit matrimony vnto Clearkes, it was in that age. That amongst fiftie Catholike Priests, hardly one can be found that is not a notorious fornicator. That not the Priests onely desire matrimony, but the Seculars also, that they may not see such beastly behauiour, and the Patrons of Churches will not giue the Benefices but to married men. That there is great want of Ministers, onely for the prohibition of Matrimonie. That the Church hath formerly remitted the seueritie of the Canons for this cause alone. That the Pope did confirme a Bishop in *Saragosa*, who had a wife and children, and a *Deacon*, who had beene twice married, and committed the Sacrament of Confirmation to simple Priests, in defect of a Bishop. Therefore many Catholiques did then, and doe now thinke better to dispence with the law of continencie, then, by retaining it, to open a gate to vncleane single life, leauing marriage free for all; and the rather, because Cardinall *Panormitan* doeth holde, that it would be good for the saluation of soules to grant Matrimonie; and that there are examples of the olde Church, and in the *Anciran* Councell, of *Adam*, and *Eusebius Cesariensis*, Priests. That it is certaine, that the Pope may dispence with Secular Priests; which some also extend vnto *Regulars*. That it seemeth a great absurditie not to admit married Clerkes, and to tollerate fornicators, and to remoue both would be as much as to remaine without Ministers, and that, if they ought to be bound to the vow of chastitie, none should be ordained but olde men.
That it is not a good reason to retaine single life with the teeth, to preserue Ecclesiasticall goods, it not being iust, in respect of temporall things to make shipwracke of soules. Besides, prouision might bee made herein, by some other meanes; which being done, concubinate would be banished out of the Church, and the scandall, which offendeth many, taken away.

The

The Pope, considering these remonstrances, was of opinion to call to *Rome* pious and learned men, of all Nations, to handle this point with maturitie, and spake of it to the Ambassadours residing with him. But Cardinall *Simoneta* did disswade; saying, it would be a kinde of Councell, and that if men should come out of *France*, *Spaine*, *Germanie*, and elsewhere, they would bring intelligences and instructions of Princes, and would be gouerned and speake according to their interests, and that, when his Holinesse would be quit of them, hee could not doo it at his pleasure; that, if hee did not follow their opinion, it would distaste the Princes; that hee should remember what troubles the Councell put him to, and not fall into the like dangers. The Pope thought the counsell was sincere, and profitable, and therefore, thinking no more of strangers, hee deputed nineteene Cardinals, giuing them order to examine diligently the writing that came out of *Germanie*. 1563 PIVS 4. FERDINAND. ELIZABETH. CHARLES 9. PHILIP 2.

The twelfth of March the Pope made a promotion of nineteene Cardinals, for reward of the great seruice they did him in Councell, in which hee resolued not to comprehend any of those who helde the Residence, and Institution of Bishops, to be *de iure diuino*, howsoeuer their qualities might otherwise deserue the degree; and did not forbeare to discouer so much to all sorts of persons, vpon euery occasion. He created *Marcus Antonius Colonna*, Archb. of *Taranto*. *Aluise Pisano*, Bishop of *Padua*. *Marcus Antonius Bobo*, Bishop of *Aosta*. *Hugo Buon Compagno*, Bishop of *Bestice*. *Alexander Sforza*, Bishop of *Parma*. *Simon Pasqua*, Bishop of *Serzana*. *Carlo Visconte*, Bishop of *Vintimiglia*, *Franciscus Abondius*, Bishop of *Bobio*. *Guido Ferrier*, Bishop of *Vercelli*. *Iohannes Franciscus Commendone*, Bishop of *Zante*. *Gabriel Paleotto*, *Auditor* of the *Rota*: all which had laboured faithfully in Councell for the seruice of his Holinesse. To these hee added *Zacharias Delphinus*, Bishop of *Liesina*, who, beeing resident with the Emperour, tooke no lesse paines for concluding the Councell then the others had done in *Trent*. A promotion of 19. Cardinals.

* * *

FINIS.

Errata.

Pag.	Lin.	Errata.	Correction.
		and after the assembly of Cardinals	and after by the counsell of the Cardinals
28	37	Princes	Princes
30	30	Hee	the
36	17	eminent	imminent
37	21	*Cagnes*	*Cagnes*
55	11	with lesse probabilitie	with no lesse probabilitie
76	24	making the Princes afraid with the name of the Vicar of Christ, whom hee recompensed with some incestuous mariage, or by dissoluing one to contract another, to vnite some other territorie to his owne, or drowning the title of diuers pretendants	schetering the Princes with the name of the Vicar of Christ, whom it cõcerned, with some incestuous mariage, or by dissoluing one to contract another, to vnice some other territory to their owne, or to drowne the title of diuers pretendants,
86	40	two	too
91	28	becruse	becaule
98	7	handle	make
106	30	finally	*Idole.*
107	pen.	grater	greater
110	30	Prelate	Prelates
111	31	Preferre	poſtpoſe
120	27	plants of the Churches then of the authorities	vaſſallages of ſ Church and of the authorities
127	5	*Bisonta*	*Bisonto*
130	34	*Cardidianus*	*Candidianus*
136	12	*Pacto*	*Pacuco*
142	18	know	knowen
150	14	nor in	and in
	27	intimate	inimate
152	17	Apostles	Epistles
153	19	forbiden to goe to the Nuncio,	forbidden by the Nuncio to goe thither
158	45	Bounds	bounds
172	6	disputed alike	sharpely disputed
177	10	vnto	into
181	33	*Piacetina*	*Pianza*
184	24	*Damisini*	*Damsius*
186	7	Connoaction	Connocation
187	2	*Prosperus*	*Prosper*
197	5	*Capolalio*	*Capolaltro*
203	10	Mortall	morall
205	5	in externall and spirituall	in internall and spirituall
208	40	God maketh them to will, which is to say, that he maketh them consent	God maketh vs to wil, which is to say, that hee maketh vs consent
210	27	*Prosperus*	*Prosper*
213	19	with ministery	as ministeries
216	vlt.	*Lavanza*	*Cavanza*
218	44	and knowing ones selfe to be a sinner, to feare he hath not the grace of God, to turne to his mercie	and, knowing ones selfe to be a sinner, to turne from the feare of Gods iustice to his mercie
224	9	rebaptized	baptized
233	45	Canons	Canons
248	8	*Coriolanus*	*Coriolanus*
263	16	ended	ended
283	42	added	*Hertford*
295	34	*Oxford*	this is foreseene
303	29	this foreseene	Archbishops
309	10	Archbishop	exhortatorie
333	vlt.	exhortatis	that
335	17	but	to the Abbat
342	32	by the Abbat	Another
352	33	Aothet	red and greene breeches
353	31	redde or greene breeches things diffused	chequered, things diffused
362	28	*Thuringia*	*Thuringia*
368	39	should	would
370	31	affeueration	affiçuration
376	9	the order	that order
398	4	father in law.	Father
401	21	constructions,	constitutions
404	3	that danger	that no danger
469	40	*Francesci*	*Francisco*
475	29	Heremite	Heremites
481	26	and said it was that formerly	and sayde that formerly
498	29	Custome	a custome
513	1	*Salmona*	*Sulmona*
518	3	was imprisoned	he was imprisoned
520	5	the Priests	them Priests,
530	36	Becanse	becaule
526	45	*Iambecarius*	*Zambocarus*
527	7	Congregation	Congregations
528	24	ye	yee
535	28	refermed	reformed
539	25	Carch	Church
561	30	would	should
572	44	they might doe themselues	they might doe themselues
580	41	Bishop	Bishops
602	18	Councel	Counsel
620	vlt.	Bishops	Bishop
643	20	Bishop	Bishops
646	39	Legate	Legates
647	32	Catholike	publike
655	31	Bishops	Bishop
659	vlt.	bee an eye witnesse	to bee an eye witnesse
674	21	distube	disturbe
474	38	that it was conueniens to stande vnited	that it was conuenient for *Charles* to stand vnited
675	10	their resolution	that resolution
678	38	*dispensation*	the dispentation
699	16	to the glory of God	for the glory of God
710	11	Kings	King
728	42	meditation	mediation
736	34	Centure	*Tonsure*
739	46	to absent	to be absent
752	19	of laying taxes	of not laying taxes
753	27	reason	reuiew
765	41	to sally	doe sally
780	35	coniectures	coniunctures

AN ALPHABETICALL TABLE OF ALL THE Principall matters conteined in this Historie of the Councell of TRENT.

A

ABuses *in the Church of* Rome *are collected, to be reformed.* pag. 83,84

Acclamations vsed in former Councels, and imitated in Trent. 813

Adrian 6. *is created Pope: is much feared for his seueritie.* 19

Is learned in schoole-diuinitie: was borne in Vtrect *: reſolueth to reforme the Court of* Rome. 20

Is diſſwaded from it. 23

He lamenteth becauſe the Popes cannot doe good though they deſire it neuer ſo much. 24

He confeſſeth the abuſes of the Clergie, not exempting the Apoſtolique Sea. 25

His death, and prayſes. 30

Amante Seruita *a Friar of* Breſcia *concurreth in opinion with* Luther *concerning the* Euchariſt, *and is ſilenced.* 522

Ambaſſadors in Trent *hold a conſultation how to remedie the proceedings in Councell, and chooſe the French Ambaſſador* Lanſac *to ſpeake for them.* 570,571

The Ambaſſadours in Trent *did not ſubſcribe the Decrees when the Councell was ended.* 813

Andreas Vega, *chiefe of the* Franciſcans, *diſputeth that the opinions of the* Lutherans *ought not to be condemned, without declaring the opinion of the Catholikes.* 179

He writeth againſt Soto. 216

Anna du Bourg *is burned in* France *for religion; and his conſtancie cauſeth a great increaſe of the reformed religion.* 419

Annates *are ſpoken againſt by the Biſhop of* Niſmes. 716

Appeales, *and their originall.* 334,335

Apoſtolique Sea *what it is.* 321

Arch-biſhop of Collen *is cited by the Emperour to cleare himſelfe of* Lutheraniſme *obiected againſt him.* 124

and by the Pope at the ſame time. 125

Is ſentenced by the Pope; but the ſentence is not executed by the Emperor vntill certaine yeares after. 165

He is obeyed by his people. 189

is proceeded againſt by the Emperour, and Prince Adolphus *put in his place.* 259

Arch-biſhop of Otranto *oppoſeth the Cardinall of* Loraine, *and hath forty voyces at his command.* 719

is reprehended by the Spaniſh Ambaſſadour for making priuate congregations. 759

Arch-biſhop of Toledo *is in the* Inquiſition *of* Spaine; *his booke is examined in Councell, and approoued* 750

Aremboldus *is agent for the Popes ſiſter, to vent her indulgences.* 5

Auguſtan Confeſsion *whence it had the name; and when the firſt liberty to bee profeſſed publiquely.* 63

Auignion *rebelleth againſt the Pope.* 429,430

B

BAndo *ſet forth by the Emperor againſt the Duke of* Saxony, *and the* Landgraue *of* Haſsia. 201

Baptisme *discussed.* 242
Whether that of Iohn *be equall to* Christs *Baptisme.* 243
Battaile of S. Quintin, *in which the French King receiued a great ouerthrow.* 406
Battaile in France *betweene the Protestants and Papists, in which the Prince of* Conde *was taken prisoner.* 647
Causeth much ioy in Trent. 649
Bauaria *desireth libertie of religion.* 397.398
The Bauarian Ambassadour maketh a biting Oration in Councell against the corruptions of the Clergie. 527
A tumult is raised in Bauaria *for the communion of the* Cup, *and marige of Priests.* 716
Bessarion *was created Cardinall, and wanted not much of being Pope.* 75
Beza *speaketh in the* Colloquie *of* Poisi. 452, 453,454.
Birague *the French Ambassadour commeth to* Trent. 714
The Councels answere. 718
He parteth from Trent, *& goeth to the Emperour: His negotiation.* 720
Bishop of Bitonto *maketh a foolish Oration whē the Councell was opened.* 132
is in danger to be excommunicated in Rome *for not paying his Pensionaries.* 153
Bishops of Fiesole *and* Chiozza *are complained of to the Pope by the Legats for speaking freely in Councel.* 167
Bishop of Vintimiglia *is the Popes secret minister in Councel.* 517
Bishops imployed in the Councel by Card. Simoneta *to iest at others.* 526
Bishops, what qualities they ought to haue. 249 261
By what law Bishops are instituted, is not permitted to be disputed in Councel. 589
Whether their degree be an order. 591
How they are superiour to Priests. 595,596
Whether their institution be de iure dinino, *or* Pontificio. 596,597,598, 599, 604, 636,637
Laynez *Generall of the Iesuites spendeth a whole congregation to shew that it is* de iure Pontificio. 609,610
The French Prelats would haue this question wholly omitted. 634
Bishops not made nor confirmed by the Pope. 635
Canons of the Institution of Bishops are made in Rome, and brought to Trent. 657
The Decree of the Institution is made. 723
but deferred, for feare of making the Councell too long. 731,732
A question is discussed in the Councel, whether the most worthy ought to be elected Bishops. 725
The Spanish Prelats will not abandon their opinion, that the institution of Bishops is de iure diuino. 735
But are perswaded to be quiet. 737
Bull *of* Leo *the tenth against* Luther. 10,11
A Bull of the connocation of the Councel, to be holde in Mantua. 79
Another of the connocation of the Councel to be holde in Trent, *against which the Emperour excepteth.* 101
Bull *of faculties for the Legats of the Councell of* Trent. 112
Bull *for the dissolution of the Councell.* 112
Bull *of the* Translation *of the Councel.* 128
Bull *of the Legation the Legats will not suffer to be read.* 130
Bull *of the translation of the Councel to* Bolonia. 266, 267, 268
Bul *of the restitutiō of the Coūcel to Trent.* 307
which the Emperour would haue to be altered. 307,308
Bull *of Pius* 4. *for the intimation of the councell in* Trent. 435

C.

CAietan, *the Popes Legate, in what sort hee treateth with* Luther. 7
is blamed in Rome *for vsing him basely.* 8
Calistini *in* Bohemia. 2
Camillus Oliuus, *Secretarie to the Card. of* Mantua, *is in disgrace with the Pope.* 518
Campegio *is sent Legate to the* Diet *in* Noremberg. 31
He maketh a little reformation of the clergie of Germanie. 32
Which is receiued by some few princes. 33
Is made Legate againe. 52,53
Is sent into England *about the diuorce of* Henry *the eight, and recalled to gratifie the Emperour.* 68
Canonicall bookes of the Scripture. 152,153
Catharinus *writeth against* Soto, *concerning the meaning of the councell in the point,* De natura & gratia. 229
Caracter *imprinted in the collation of the Sacraments, what it is.* 239,240
It is imprinted in the collation of Priesthood. 738
Card. Colonna *is cited to* Rome. 38
sacketh Rome. 41 *is excommunicated, and appealeth to a councell.* 42
Cardinals imprisoned, mocked, and beaten in Rome. 44
Cardinals created. 74,272,361,396,825
Cardinals are not conteined within any generall termes of any law, if they be not particularly named

named. 262
Card. Poole *is made Legat for the councell in* Trent. 111
And after his returne from thence, is made one of the Deputies in Rome *ouer the councell in* Trent. 168
Is named to be Pope, but not elected for suspicion of Lutheranisme. 298
Is made Legate for England *by Pope* Iulius *the third.* 384
Commeth to London with the crosse before him, and maketh an oration in the Parliament. 385
is depriued of his Legation of England *by Paul the* 4. 405
Cardinall Crescentius, *the Legate in councell, doteth.* 375
Is caried to Verona, *and there dieth.* 377
Card. Morone *was imprisoned, and ready to be sentenced for an hereticke by* Paul. 4. 416
Is made prime President of the councell by Pope Pius 4. *and hath secret instructions.* 688. *His entry into* Trent. 693
Is receiued in congregation. 694
His publicke negotiation with the Emp. 695
His priuat negotiation with the Emp. 705
Hee is taxed by his fellow Legats for taking too much vpon him. 724
Cardinall *of* Loraine *speaketh in the* Colloquie *of* Poisi. 453
Had a desire to be Patriarke of France. 603
Entreth Trent *with many French Prelats.* 624
Maketh an oration in Councell. 629
Goeth to Ispruc *to consult with the Emperor about the affaires of the Councell.* 664. 668
Writeth a consolatorie letter to his mother after the death of his brother, the Duke of Guise. 681
Goeth to Venice *to put away griefe.* 689
Is said to speake in Councell like a Lutheran. 704
Remitteth his rigor for matter of the Councell, by reason of the great change in France. 712
Is opposed by the Arch-bishop of Otranto. 719
Resolueth to giue the Pope all manner of satisfaction. 733
Is complained of by the Spanish Prelates. 743. 744
Excuseth his change of mind. 751
Commeth to Rome, *where hee is lodged in the Popes Palace, and visited by the Pope in person.* 767
His negotiation. 768
He taxeth the French Ambassadors for protesting in Trent. 778
Returneth to Trent, *and hasteneth the ending of the Councell.* 781
Was the chiefe man to make and rore out the acclamations in the end of the Councell. 813
Is taxed in France *at his returne.* 818
His defence. 821
Cardinal *of* Ferrara *is sent Legate into* France, *where he is ill intertained at the first.* 455
He maketh acquaintance with the Hugonots. 456
Hath a grant to exercise his faculties, which the Chancellor refuseth to subscribe. 458
Hee meeteth the Card. of Loraine *in* Asti *of* Piemont, *to perswade him to fauour the Popes affaires in Councell.* 700
But cannot effect any thing. 711
Cardinall of Mantua, *Legate in the Councell, is distasted by the Pope.* 507
Is opposed by Cardinall Simoneta. 513
The dispatches are not addressed to him. 517
Is reconciled with Cardinall Simoneta. 54
Writeth to the Pope that he can dissemble no longer. 675
He dieth. 678
Cardinall of Borbon *desireth a dispensation to marry.* 668
But the French-men dare not propose it in Councell. 680
Cardinall Seripando, *one of the Presidents, dieth.* 687
Cardinall Nauaggero, *the new President, entreth* Trent. 699
Cardinall Chastillon *calleth himselfe Count of* Beauuois, *quitteth the Cap, mocketh the Pope, and is depriued by him.* 767
Catechisme is handled. 802
Ceremonies vsed in opening the Councell. 130
Charles *the fifth Emperor is suspected by the Pope for his greatnesse.* 35
Maketh two answeres to the two Briefes of the Pope. 39
Writeth to the Cardinals. 40
Maketh shew of griefe for the Popes imprisonment, but keepeth him fast. 44
Is crowned in Bolonia. 52
Goeth to Rome; *is proud of his victorie in* Africa. 78
Is distasted with the Pope. 110
And reconciled againe. 111
Maketh the Pope afraid by residing at Ispruc, *so neere the Councell.* 355
Vseth meanes to make the Empire hereditarie; but is crossed by his Nephew Maximilian. 382

Quitteth the world. 404
Charles *the ninth the French King, seemeth to fauour the Protestants.* 449
Alieneth Ecclesiasticall goods without the Popes leaue. 712.713
Wherewith his Holinesse is very angry. 713. 793
Church, what power it hath concerning the Sacraments. 669
Whether it can make mariages void. 756
Clement *the seuenth Pope, thinketh a Councell to be dangerous when the Popes authoritie is in question.* 34
Maketh a league with Francis *the first, the French King, and inueigheth against the Emperour.* 37
He was illegitimate, and created Pope by Simony. 42
Is taken prisoner. 44
Escapeth out of the Castle in the habit of a Merchant. 45
Doth suddenly recouer his greatnesse. 47
Dissuadeth the Emperour from desiring a Councell. 50
And perswadeth him to proceed seuerely against the Lutherans. 51
Sheweth a desire to call a Counsell, but meaneth to auoid it. 58
Is aliened from the Emperour, and ioyneth with France. 64
His death, vertues, and vices. 71
Colloquie *betweene the Protestants and Papists.* 56
Another in Aganoa. 92
In Wormes. 93
In Ratisbon. 95
And againe in Ratisbon. 126
Colloquie in Wormes *of foure and twentie Doctors.* 407
Of Poisi *in* France. 451
Commendaes, *what they are is shewed by the Author in a large discourse.* 500
Commenda *of all the Benefices in the world, giuen by* Clement *the seuenth to his Nephew* Hippolitus *Card.* de Medici. 251
Communion of the cup denied by the Pope. 290
Treated of in France. 457
Demanded, and discussed in Rome. 458, 459, 519, 520, 522, 523, 526, 528, 529, 537, 556, 559, 560.
Is denied in Councell by pluralitie of voyces. 567
Concubines *of* Priests *are of Ecclesiasticall iurisdiction.* 82
Conclauists *and their priuiledges.* 554
Conference at Marpurg *betweene* Luther & Zuinglius. 49
Conference in Nizza *betweene the Pope, French King, and King of* Spaine. 85
Conference betweene the Pope and Emperour in Lucca. 100
And another in Busseto. 104
Confirmation, the Sacrament, is handled; and a question disputed whether Bishops be the onely ministers of it. 244
Confirmation of the Decrees of the Councell, whether it ought presently to be made by the Pope, is much disputed. 814, 815, &c.
Conseruators *are Iudges granted to some particular men by the Pope, to maintaine them in their pretended rights.* 352, 353
Conspiracie in Genua *of the* Fieschi *against the* Dorij. 222
Conspiracie in France *against King* Francis *the second.* 421
Contarini *is Legate for the Pope in* Ratisbon. 94
Speaketh as ambiguously as an Oracle: his exhortation to the Prelates. 96
Complaineth that his answere was mistaken. 97. *Is suspected to be a* Lutheran. 100
His death. 103
Continuation *of the Councel is disliked by the Emperour and the French King, but approoued by the King of* Spaine. 441, 477, 506
The Pope resolueth the continuation shall bee declared, that the Councell may be dissolued, but dareth not stand to it. 511
Coronation of the Emperor in Bolonia. 49. 52
Councels for what causes they began to be celebrated. 2
Councel of Trent *is opened by singing a masse of the holy Ghost onely.* 116
Councels held by Secular Princes. 136
Councels doe deliberate of faith, not by diuine inspiration, but by humane disquisition. 230
The question, whether they haue greater authoritie then the Pope is forbid by the Legates to be handled. 231
How the Spirit did worke in the Councell of Trent. 276
The Councell is remaunded to Trent *from* Bolonia. 302, 303
Councels doe not binde by their decrees the churches absent. 320
The Councel of Basil *what authority it had.* 566. *The Councel of* Constance *is commended by the General of the* Serui. 567
The Councel of Trent *was assembled to remedy abuses, but was vsed to increase them. The State of it is quite altered.* 782
The conclusion of it. 813
Count of Luna *is receiued in Congregation, and protesteth about his place.* 707, 708
Creed *established in the fourth Session.* 147

Decrees

D.

DEcrees of Iustification. 223
And of Reformation. 226
Are censured in Germany. 227
A decree concerning the Sacraments. 263
Concerning Baptisme. 264
Concerning Confirmation. 264
A Decree of Reformation. 264
A Decree concerning the Eucharist. 339
A Decree of Reformation. 340
The decree (Proponentibus Legatis) is made, and contradicted. 469
The Spanish Ambassadour desireth it may be abrogated. 720
The Emperor dissuadeth the King of Spaine from desiring the abrogation of it. 727
A Decree of the institution of Bishops, and of Residence. 723
Another concerning Residence. 736
Concerning Priest hood and the other Orders. 738
Another concerning Order. 740, 741
A Decree of reformation. 787, 788
Another concerning Purgatorie. 799
Decrees of the Councell of Trent must not haue any glosses or interpretations made vpon them, but all doubts must bee referred to the Pope. 817
Degradation of Prelats, and the lawes thereof. 336, 337
Denmark embraceth the reformed religion. 84
Deputies appointed in Rome ouer the Councel. 168, 256, 257
Diet of Wormes. 13
Of Noremberg. 24. Of Spira. 35, 36
Of Ausburg. 52. Of Aganoa. 92
Of Ratisbon. 94, 126, 183
Diets in Ausburg. 272, 292, 306, 388
Diocesan Councels held in diuers Prouinces. 296, 297
Dispensations, whether they may be graunted without a lawfull cause. 253
What they are. 675
are maintained at large by Laynez, Generall of the Iesuits. 721
Whether they haue brought more aduantage or disprofit to the Sea of Rome. 791
Distributions called Canonicall, what they are. 495
The power of Bishops concerning them. 556
Diuorce is handled by Dominicus Soto. 670
and by Iohn Ramirez. 671
The Venetian Ambassadors desire that the Grecians within their dominions may bee permitted to put away their wiues for fornication, because they haue alwaies done so. 755
Dominicans were employed in Saxonie to vent Indulgences. 5
are opposite to the Franciscans in the point of the reall presence 328
Duke of Saxonie, called Iohn Frederick, disputeth whether hee may carry the sword before the Emperor, and stand at the Masse. 52
Hee publisheth a Manifest against the Emperour. 190
who setteth forth a Bando against him. 201
Hee had equall authoritie with the Landgraue of Hassia, which maketh them both vnfortunate. 204
Hee is taken in battell, and condemned to die. 270 But pardoned vpon very hard conditions. 270
Duke of Saxonie, called Maurice, created Elector by the Emperour Charles the 5. sendeth ambassadours to the Councell. 362
who demand a safe-conduct. 363
One of them maketh an Oration in Councell. 367
The Duke taketh Ispruc, scorreth Charles the Emperour very much, who setteth Iohn Frederick the deposed Duke at liberty. 378
Duke of Wittenberg sendeth ambassadours to the Councell, who present the Confession of their faith. 355
He sendeth order to them to proceed in their negotiation. 359
The Presidents will not suffer their confession to be disputed of in Councell. 359, 360
One of the ambassadours maketh an oration in Councell. 369
Duke of Alua might haue taken Rome, but in stead of that goeth thither for absolution. 406
Duke of Sauoy taketh armes against the Protestants of his valleys. 421
Is ouerthrowen by them, and maketh a peace. 446. Hath many Protestants within his territories. 710
Duke of Bauaria sendeth ambassadors to Rome for the Communion of the Cup. 646
And desireth that his Priests may marry. 679

E.

ECchius opposeth Luther. 6
Ecclesiasticall goods are alienated in France without the Popes consent. 793
Ecolampadius dieth with sorrow for the death of his fellow Zuinglius. 60
Edict of Ausburg about religion. 57
Edict of the French King Henry 2. concerning religion. 297
Edict of Iuli made in France. 448
Edict of March made in France. 471
Edward 6. King of England, maketh a change in Religion. 295
He dieth. 283

Electors of Mentz *and* Triers, *craue leaue to depart from the Councell.* 362
And do depart. 374
And so doth the Elector of Colen. 374
Elizabeth *obtaineth the crowne of* England: *the Pope refuseth to acknowledge her: she causeth a disputation to be held in* Westminster *in matter of religion.* 411
She is inuited to the Councell in Trent. 436
But will not suffer the Popes Nuncio *to come into* England. 440
The Councell would haue proceeded against her; but is disswaded by the Emperor. 727
Episcopall iurisdiction is discoursed of by the Author. 330.331. &c.
Erasmus *is condemned for his annotations vpon the New Testament, which were confirmed by Pope* Leo *the tenth.* 473
Excommunication is denounced against all Heretiques in generall onely, in the end of the Councell. 813
Exemptions what they are, is shewed in a large discourse made by the Author. 220
Exemption of Cathedrall Churches in Spaine *from the iurisdiction of Bishops, raiseth a great stirre in the Councell.* 797

F.

FAber, *sent to* Zuric *by the Bishop of* Constance, *refuseth to dispute with* Zuinglius. 17
Faction made in Councell by the Pope and Legates. 142.256
A faction betweene the Dominicans *and* Franciscans. 175.229.258
A faction made in Councell by the Pope. 463.504.580
The Papalins themselues did not like that the Pope should labour so openly to make a maior *part.* 585
A faction made by Cardinall Simoneta *about the institution of Bishops.* 607
Practises vsed by the Legates to perswade the Prelats. 621
A factious banket made by the Arch-bishop of Otranto. 627
Cardinall Madruccio *said openly there was a Councel within the Councel.* 658. 659
Faith, how many significations it hath. 194. 195
Ferdinand *desireth to possesse* Transiluania, *and causeth the Bishop of* Veradino *to be slaine: is absolued by the Pope.* 373
Publisheth an Edict against innouation in religion. 387
And a Catechisme. 387.388
Is installed Emperor, and not acknowledged by Pope Paul *the fourth, but after is acknowledged by Pope* Pius *the fourth, vnto whom he rendreth obedience.* 420
Goeth to Ispruc; *that he may be neere the Councell.* 649
Putteth in consultation seuenteene very important points, concerning the present Councell. 673
Writeth to the Legats and the Pope very effectually for a serious reformation. 682, 683.
Giueth his word to Cardinal Morone *to vse conniuencie hereafter for matters of the Councell.* 705
His suddain sickneſſe maketh the Fathers in Trent *afraid.* 779,780
Fisher, *Bishop of* Rochester, *is created Cardinall for his great worth; and is beheaded dayes after.* 43. 74
Florence *becommeth free, and doth deface the Statues of* Leo *the tenth, and of* Clement *the seuenth.* 44
Forme of proceeding in Councell. 344
Francis *the first, the French King, is taken prisoner at* Pauia. 35
Is set at liberty, and absolued from his oath. 37
Francis Sforza, *Duke of* Milan, *dieth.* 77
Francis *of* Toledo *is Ambassador for the King of* Spaine *in Councel.* 154
Perswaded that the reformation should be handled before the doctrine. 166
Francis *the second, the French King, persecuteth the Protestants.* 417,418
He dieth. 436
Free will is discussed. 208,209,210
French Ambassadour speaketh in Councel. 509
The French Ambassadours desire that their Prelats may be expected. 552
The French Ambassadour De Ferrieres *maketh an oration.* 631
And another. 666
Which vexeth the Fathers. 667
The French Ambassadours goe to Venice. 790
French petitions are written against in Rome. 674
The Pope resolueth not to consent to them. 690
French Prelates cited to Rome *for* Lutheranisme. 693
Sentence is pronounced against them. 790
They are defended by the King. 795

G.

GEneua *promoteth the reformed religion in* France. 422
The Pope perswadeth the French King to make warre against that citie. 423

George

George Fransperg, *Generall of an armie of* Dutchmen, *carrieth an* halter *towards* Rome, *to hang the Pope; but dieth before he commeth thither.* 43
George Martinaccio, *Bishop of* Veradino, *desireth to holde* Transiluania *in tiberte; refuseth the offers of K.* Ferdinand, *and is slaine by his ministers.* 373
Germanie *is in the power of the Emperour, the two Protestant Heads beeing retired into their countreys.* 1221
Glosses *are forbid to be made upon the Decrees of the councell of* Trent. 813
Granuell *publisheth a booke, to compose religion in* Germanie. 95
He is sent to the Diet in Norenberg. 103
Groperus *discourseth of Appeales.* 334
Guise *passeth into* Italie *with an armie to assist the Pope.* 404
Is defeated by the default of the Caraffi. 405
Is recalled by the French King. 406
The Guisards *holde a party in* Germanie *with the Duke of* Wittenberg. 480
The Duke of Guise *is slaine under* Orlience *by* Iohn Poltrot, *a priuat Gentleman.* 681
His death maketh a great alteration in France. 682

H.

HEnry 8. *King of* England, *writeth against* Luther, *and gaineth the Title of* Defender of the Faith. 16
Marrieth Anne Bullen. 68
Withdraweth his obedience from the Pope, and denieth to pay the Peter *pence.* 69
Protesteth against the councel of Mantua. 83
And againe against the councell of Vincentia. 85 *is excommunicated by the Pope, and the reasons are declared.* 86,87
The excommunication was generally contemned. 87 *He maketh an* Edict *in matter of religion.* 89
He dieth, and his death causeth much ioy in Rome *and* Trent. 260
Henry 2. *the French King, maketh a solemne entry into* France: *proceedeth seuerely against the Protestants.* 297,298
Professeth extraordinarie good will to Pope Iulius *the* 3. 305
Protecteth Parma *against the Pope and the Emperour.* 311
Protesteth against the councel of Trent. 315 319. *Persecuteth the Protestants.* 322
But afterwards vseth moderation. 407
Proceedeth against the Counsellors of Parliament in a Mercutiall. 414,415
He dieth. 416
Heremit Friars *were ordinarie publishers of Indulgences in* Saxonie, *but were excluded by* Arembolius. 5
Hierarchie *of the Church,* 589, 590, 591.
The forme of Hierarchie *in what it consisteth.* 592
it should rather be called Hierodoulia. 743
Hugonius *a French Diuine, doth testifie many things in* Gaule. 632
but cannot endure the flatteries of Lainez, *the* Iesuite, *in maintaining the Popes authoritie.* 792
Hugonots *in* France *do vse build- they haue* 2150. *Churches in* France. 1480

I

IEsuites *will obserue no rule in Councell.* 543
why their Generall is not in the Catalogue of the assistants in Councell. 554
Salmeron *the* Iesuite *proceedeth by faction in matter of faith.* 555
Layncz, *Generall of the* Iesuites, *spendeth a whole congregation in a discourse concerning the Institutio of Bishops.* 609,610,611
His suffrage touching dispensations. 721,
Fauors done to him in Councel by the Legats. 721,722
The Iesuites *doe professe to liue by begging, but will not be bound to it.* 799
They make vse of the negligence of the Fathers in Councell, to raise their order to more greatnesse. 801
Images, and their doctrine. 806
Index is disputed on. 474.475,502
a Decree made concerning it. 480
Indulgences when they began to bring mony to the Popes coffers. 4
a plenary Indulgence granted by Vrban *the second, and* Leo *the tenth.* 4
the profit of the Indulgences of Saxonie *is granted to the Popes sister.* 5
The doctrine of Indulgences was neuer well vnderstood before Luther *wrote against them.* 6
foure different opinions concerning them, and all Catholique. 22
The Councell dareth not handle Indulgences exactly. 801
The Decree concerning them. 812
an Indulgence granted by the Legates in Trent *without authority.* 113
Inquisition *brought into* Naples. 271
And into the Low Countreys. 300
the office of Inquisition is mainly promoted by Paul *the fourth.* 409
the Inquisition *should haue been brought into* Milan: *which causeth a great tumult there, and in the Councell.* 757,758

Intention of the Minister to doe as the Church doeth, whether it be necessarie in Baptisme, and the other Sacraments. 240,241, &c.
Interim, *or peace of religion, is made in* Germanie. 62
It displeaseth both Papists and Protestants. 294.
Is abrogated. 379
John Tanchere *is condemned in* France, *for maintaining that the Pope may depose kings.* 463,464
Ireland *is made a kingdome by Pope* Paul *the fourth, which title it had long before.* 392
Ispruc *is taken by the Protestants.* 378
Iubile *published in* Rome. 130
And in Trent. 203
Another Iubile *celebrated in* Rome *for ioy of the determination to celebrate the Councell.* 435
Iulius *the* 2. *Pope, was more a Souldier then a Clergie man.* 3
Iulius *the* 3. *created Pope.* 298
Is more inclined to pleasure then businesse: createth a yong Car. of vnknown parents. 299
Restoreth the Councell to Trent. 302,303
Is alienated from the Emperour. 371
Suspendeth the Councell. 376
Maintaineth his reputation by the Patriarke of Armenia. 382,383
Reioyceth for the restitution of the obedience of England; *he dieth.* 389
Iustice, by whom it is to be administred in Councell. 82
Iustification is discussed in many articles. 192
Which did trouble the Prelates and Diuines, because it was neuer well discussed by the Schoolemen. 194

K.

King of Denmarke *embraceth the reformed religion.* 84
King of Nauarre *hath a guard set vpon him.* 436
Is set at libertie, and gouerneth France. 437
Writeth to the Protestant Princes in Germanie, *that hee will preserue Religion in* France. 480
Was slaine with a bullet at the siege of Roan. 640
His death maketh a great alteration in France. 641
Knights of Malta *send an ambassadour to the Councell; who is received in Congregation, and maketh an Oration.* 762

L.

Landgraue *of* Hassia *preuenteth a diuision amongst the Reformatists in the* Diet *of* Spira. 47
publisheth a Manifest *against the Emp.* 190
who setteth forth a Bando *against him.* 201
Landgraue *and* Saxon *had equal authoritie in the warre against the Emperour, which was a great disaduantage to them.* 204
He yeeldeth him selfe prisoner to the Emperour. 270
is set at libertie. 379
Lateran *Councel what aduantage it brought to the Sea of* Rome. 19
Latin translation *of the Bible is discourſed of.* 155,156,157, &c.
and is approued. 159
it is said that no errors of faith are in it. 161
Lawes of Popes are more strictly obserued then the lawes of God. 488
League betweene the Pope and the French King is confirmed by marriage. 67
betweene the Pope and the Emperour against the Protestants. 188
the League betweene Charles *the Emperour and* Henry 8. *King of* England *offendeth the Pope.* 105
a league of all Catholiques against the Protestants is treated by the Pope. 515
but cannot be effected. 516
a League betweene the Pope & the French K. against the Emp^r confirmed by mariage. 252
another of the Protestants in Germany *against the Emperour.* 312. 484
Legates in Trent *desire to haue two sorts of letters from the Pope and a cipher.* 113
Leo 10. *Pope his description.* 3
Lewis 12. *French King is excommunicated.* 3
Libertie of Friars *is held dangerous by the Legates, and represſed.* 228
a Friar *of* Brescia *is disgraced for speaking of the* Eucharist *like* Luther. 422
Libertie of the Councel violated by the Pope. 503
Liberty of the Councell is thought by the Speaker *to be too great.* 533
and by the French Ambassadours to bee none at all. 542
as also by the Spaniards. 551
The Presidents vse meanes to curbe the Spanish Prelates. 620
the Cardinall of Loraine *said openly the Councell was not free.* 635
The Bishop of Veglia *quitteth the Councell for feare.* 644
the Prelates are terrified with the Popes authority. 645
Martin Guzdalin, *a* Spaniard, *complayneth that the Councell is not free.* 661
and the Spanish Ambassadour doth the like: who is answered by Cardinall Morone. 754
Limbo *is the place where children are, who die*

die without Baptisme, before the vse of reason. 178
Luther *speaketh against indulgences* 5
And against the Popes authoritie. 7
Appealeth to the councel. 8.12
Passeth to other points of doctrine. 9
Burneth the Popes Bull, *and* Decretals *in* Wittenberg. 12
Is called to the Diet *of* Wormes. 13
And an Edict *is published against him after his departure.* 15
Which was neuer executed by the princes of the Empire. 26,27,*&c.*
His answere to Vergerius. 75
He dieth. 148
Diuers fables are raised of his death. 149

M.

MAntua *is chosen to hold the councell in.* 79
Wherewith the Duke is contented at the first, but repenteneth afterwards. 82
Marcellus *the 2. created Pope.* 389
Purposeth to make a seuere reformation of the Court and Clergie, and to erect a religious order of an hundred persons. 390
Hee dieth, hauing sate but two and twentie dayes. 392
Mariage of Priests what inconuenience it bringeth. 460
Why it is forbid. 680
Matrimonie is proposed to be disputed. 662, 665
The inconuenience of secret marriages. 665, 668,*&c.*
Whether Priests may marry. 678,679
A mariage is desired and sought by the K. of Spaine betweene his sister, and his sonne Charles. 685
Marriage of children without consent of their parents is spoken against by the French ambassadours. 746,747,754
Marriage of Priests is promoted, and opposed in councell. 747
The abuses of matrimony are discussed. 747, 748
A question discussed, whether one may be forced to marry. 749,750
Diuers opinions concerning clandestine marriage. 782
The doctrine of Matrimony is decreed. 784
The reformation of the abuses of it is decreed. 784,785
The impediments of matrimony are decreed. 785
Mary *obtaineth the crowne of* England. 383
Establisheth Popery. 384
Is maried to King Philip. 385
Appointeth ambassadors to go to Rome. 386
Perseuteth the Protestants. 387
Her Ambassadors come to Rome. 391
Shee dieth. 411
Marquis *of* Brandenburg *sendeth Ambassadours to the councell.* 342
Masse is discussed. 542
they dispute to proone it to be a sacrifice. 544, 545,*&c.*
Portugall Diuine saith in can be proued by tradition only. 546. *the doctrine of it.* 373
the abuses of it. 374
Matthæo Langi, *Archbishop of* Salzburg, *did not dislike the assertions of* Luther, *but scorneth that the world should be reformed by a Monke.* 55
Maxime *in Councell about the* maior *part of voyces.* 576
Maximilian *the sonne of* Ferdinand *passeth by* Trent. 360
promiseth the protestants there to labor with his vncle, the Emperour, that the Councell may be free. 361
is thought to be a Protestant. 426
which hee doth not denie to the Popes nephew. 429
is crowned King of Bohemia, *and elected King of the* Romans. 641
refuseth to promise obedience to the Pope. 723
Merits, whether they goe before grace, or follow. 198

N

NAples *doth mutin, because of the* Inquisition *brought in, and is cherished by the Pope.* 271
Nations, whether they ought to haue voices in Councel, or particular persons. 137,508
Nationall Councel is prepared in France. 314, 425.
Number of the Prelates in the Councell of Trent. 317,462
the number of those who subscribed the Decrees of the Synod. 813
Nunnes *which are called* Penetenti, *or* Conuertite, *haue been Courtesans.* 808

O.

OAth *prescribed to bee taken by those who are to be admitted to Bishopriques, Abbacies, Benefices,&c.* 732,733
Octauius Farnese *conducteth the Italiã troops into* Germany *against the Protestants.* 203
receiueth a French Garison into Parma. 311
Oration made in the Councel by the Bishop of Bitonto. 132
another made by the French Ambassadour Guido Faber. 508

Displeaseth the Fathers. 509
And is answered. 511
An Oration made by the Bauarian *Ambassadour.* 527
An Oration made in councell for the Count of Luna. 709
Displeaseth all the Ambassadours. 710
Oration made by the French Ambassadour de Ferrieres *against the reformation of Princes.* 771,772,773
Is answered. 775
Which causeth him to make an Apologie. 775
Order *is helde to be a Sacrament, and is discussed.* 586
Seuen orders, *and all Sacraments.* 587
How the holy Ghost is giuen in ordination. 592,593
What ceremonies be necessary in conferring orders. 593
The number of orders, *and their seuerall functions.* 734
The Decree concerning them. 738
And the Anathematismes. 739
Ordination to the title of the Patrimonie is discourssed on by the Author. 490
Diuers opinions concerning it. 491
Orientall Christians. 572

P.

PAlatine *of* Rhene *speaketh brauely in the* Diet. 14
Embraceth the reformed religion. 148,398
Parishes how *they came to be diuided.* 498
Parma *and* Placentia *are giuen by Pope* Paul *the* 3. *to his bastard sonne.* 121
Whereat the Cardinals doe murmure. 128
Parma *is restored to Duke* Octauius *by Pope* Iulius *the* 3. 311
Pasquins *made in* Rome *against the councell.* 148
Patriarke of Armenia *cõmeth to the Pope.* 382
Paul *the* 3. *created Pope.* 71
His chiefest vertue was dissimulation. 71
Hee perswadeth the Cardinals to reforme themselues. 72
Laboreth to gaine Milan *for his family.* 104
Recalleth his forces out of Germanie, *and is iealous of the Emperour by reason of his victory.* 222
Recalleth the whole businesse of Reformation to himselfe; of which the Legats durst not make vse. 254
He dieth. 298
Paul *the* 4. *receiueth the English Ambassadours.* 391
Commandeth the restitution of the Church goods in England, *and the* Peter *pence.* 392
Is proud and cholericke. 395
Createth Cardinals contrary to his oath. 396
Pretendeth to make peace betweene the Emperour, and French King, but intendeth nothing but warre. 401
Proceedeth against the Colonnesi. 402
Threatneth the Emperour and his sonne, and prouideth for warre. 403
Imprisoneth many great persons. ibid.
Createth 10. *Cardinals more.* 404
Persecuteth his owne family, and instituteth a new gouernment in Rome. 408
He dieth; for which the Romans *reioyce, and shew they did detest him.* 416
Peace concluded betweene the Pope and Emperour. 46. *is renewed.* 64
a Peace betweene the Emp. & French K. 109
Peace made betweene the French King and the Hugonots *displeaseth the Pope.* 693, 695.
The conditions of it. 696
Peace is concluded betweene the Emperour and the Protestants. 378
a peace of religion is established in the Diet of Ausburg. 394
the peace of Cambray *betweene the Kings of* France *and* Spaine. 412
Penance, and the Decree thereof. 346,347, *&c.*
The censure of the Decree. 357,358
Petrus Aloisius, *the Popes sonne, Duke of* Placentia, *was murdered in his own Palace.* 273
Philip, *King of* Spaine, *is in great perill at Sea in his iourney into* Spaine. 417
He persecuteth the Protestants at his arriuall. ibid.
is angry with the Pope for countenancing the King of Nauarre. 443
and with the French King, for making peace with the Hugonots. 701
Picards *in* Bohemia. 3
Pius *the fourth is created Pope.* 418
hasteneth the Generall Councell in Trent *for feare of a nationall in* France. 425.426
but doth secretly crosse it. 427.433
meketh leuies of souldiers. 551
Plotteth to make a maior *part in councell.* 580
which the Papalins themselues said he did too openly. 585
is afraid to bee accused of Simonie. 628
complaineth that he is suspected to hold the councell in seruitude. 595
giueth rewards to those that fauour him in councell. 660
resolueth to ioyne with the King of Spaine, *and to neglect the Emperour and French King.* 685
falleth very sicke; which causeth the Fathers to anticipate the Session, and precipitate the coun-

Councell. 802,803,*&c.*
Reſerueth power to the Pope onely to interprete the Decrees of the Councel. 817,818
Placentia *is ſeiſed by the gouernour of* Milan, *the Duke being ſlaine.* 273
and the reſtitution is demaunded by the Pope. 287
Pluralitie of Benefices how it beganne, and the progreſſe of it. 250,251,*&c.*
A diſpute by what law it is forbid. 253
Polonian Ambaſſadour maketh fiue demaunds in Rome, *all diſtaſtfull to the Pope.* 399
Polonian Ambaſſadors come to Trent, *and depart preſently.* 462,463
Polonian Ambaſſador is receiued. 617
Polygamie how it was permitted. 671
Popes authority was reſerued in Councell, by ſaying, Sauing in all things the Popes authoritie, *but it is not ſuffered ſo to paſſe.* 260
Popes lawes are more ſtrictly obſerued then the Lawes of God. 488
Laynez *ſaith the Pope is aboue the Councell.* 613
Pope dying in time of the Councel, whether the ſucceſſor ought to be created in Rome *by the Cardinals, or in* Trent *by Nations.* 627
The French opinion concerning the Popes authoritie. 641,661
How farre he may diſpence. 675
The Emperour is of opinion that the Councel is aboue the Pope. 683
But Pius *the fourth goeth about to proue the contrary by many quotations, which hee ſendeth to the Emperour.* 684
Which are examined by the Cardinall of Loraine *and the other French Prelats.* 687
The Popes authoritie is much extolled by Laynez. 721
To the great diſtaſt of the Frenchmen. 722
The point concerning the Popes authoritie is deferred for feare of prolonging the Councell. 731,732
The Decree is read for ſauing the Popes authoritie, which was neuer mentioned before. 812
The Popes authoritie whether it be neceſſary to confirme the Decrees of the Councel. 812
Pope onely muſt interprete the Decrees of the Councel of Trent. 818
Portugal Ambaſſadour is receiued in Congregation. 476
Preaching claymed by the Regulars, *as belonging to them; which is denyed by the Prelats.* 161,167
Precedence is claimed by Don Diego *the Spaniſh Ambaſſadour before the Cardinall of* Trent. 114,117
By the Duke of Florence *before the Duke of* Ferrara. 443
Princes of the blood in France *haue precedence of the Cardinals.* 449
The Prelates in Trent *differ about precedence.* 467
and ſo doe the Ambaſſadours of Portugal *and* Hungarie. 480
Likewiſe the Bauarian and Venetian Ambaſſadors differ about precedence. 501
and ſo doe the French and Spaniſh Ambaſſadors in Trent. 663
In Rome. 713
and againe in Trent. 727,728,729
Predeſtination is diſcuſſed. 210. 211,*&c.*
Preſidents, ſent by the Pope, did neuer gouerne Councels before that of Conſtance. 137
They gaue auricular voyces in Trent. 616
Preſidents named for the ſecond reduction of the Councel in Trent. 310
For the third reduction. 444. 445
The Preſidents onely do giue audience to the Ambaſſadours. 553
Two new Preſidents. 681
Preſidents of Councels, what authoritie they haue. 707
Prieſthood, and the Decree concerning it. 738
The Anathematiſe *belonging to it.* 739
Prince of Conde *is impriſoned.* 436
Prince of Orange *marrieth a daughter of the Duke of* Saxonie. 456
Procters ſent by the Vice-roy of Naples *to giue voyce in Councel for all the Cleargie of that kingdome.* 118
The Pope decreeth that none ſhall giue voyce by Proctor. 118
The Proctors of the Arch-biſhop of Mentz *are about to leaue the Councel.* 122
Prohibition of Bookes is diſcourſed on by the author. 472
Proteſtants make a conditionall ſubmiſſion to the Councell. 274
A conſultation how they are to be receiued in Councel. 367
Proteſtant Diuines of Wittenberg *and* Strasburg *come to* Trent. 374
Fiftie thouſand Proteſtants were executed in the Low Countries within a ſhort ſpace. 413
The Proteſtants aſſemble in Noremburg, *and the Pope ſendeth* Nuncii *vnto them* 439
Proteſtations of Doctors, that they refer themſelues to the Church, are but wordes of complement and of good manners. 249
Proteſtation of the Emperour againſt the Councell of Bolonia. 279,280
Another Proteſtation in Rome *before the Pope.* 281

Which the Pope saith the ambassadour did make without commission from his master. 282
The ambassadour protesteth againe. 284
The French K. protesteth against the Councell in Trent. 319
The intended protestation of the French ambassadour about precedence. 730,731
Prouerbe in Trent *very blasphemous about the bringing of the holy Ghost from* Rome. 497
Another prouerbe in Councell, Wee are fallen from the Spanish Scab to the French poxe. 640
A kinde of prouerbe made in France *concerning the authoritie of the Councell.* 822
Purgatorie *is spoken of.* 799

Q.

Queene Mary, *gouernesse of the low Countreys, fauoureth the Protestants.* 89
Queene mother of France *refuseth a Spanish armie to assist her against the* Hugonots. 648
Writeth to the Pope and Cardinall of Loraine. 712
Is complained of by the Fathers for being ruled by the Chastillons *and other* Hugonots *in* France. 776
Queene of Scotland *writeth to the Councell of* Trent. 703
Queene of England *should haue beene proceeded against in Councell, but the Emperour would not suffer it.* 727
Queene of Nauarre *is cited to* Rome *for* Lutheranisme. 780
And is defended by the French King. 794, 795

R.

Reformation made by Cardinall Campeggio *in the* Diet *of* Noremberg. 32, 33, *&c.*
A reformation made in Rome *vnder* Paul *the third, was suppressed.* 79
A reformation of the Court of Rome *is set on foot and much discussed.* 83,84
The Emperor would haue Reformation handled before Doctrine. 202
It is wholly recalled by the Pope to be handled in Rome; *but the Prelats will not yeeld.* 254, 255
A reformation of the Clergie published by the Emperour. 292
A reformation made in Councell is complained of by the Priests. 343
Another is made in Rome *of small matters onely.* 505
Twentie points of reformation are proposed by the Emperours Ambassadours. 513
Nine points of reformation. 532,538
The chiefe points of reformation are omitted. 568
Reformation is mainely promoted in Councell by the Imperialists *and* Spaniards. 588
The free speeches in Councell concerning reformation, doe trouble the Legats. 594, 600
The reformation of Princes how it began. 617
Articles of reformation proposed in Councell by the Frenchmen. 650,652
The Pope thinketh that a reformation will not reduce the heretickes. 700
A reformation of Cardinals is mainly promoted, but vanisheth quickely. 726
A reformation proposed by the Imperialists. 751,752
The reformation of Princes is deferred 760
An hundred Prelates doe combine to promote it. 766
It is declared at large. 769.770
The Emperour distasteth it, and the French ambassadour de Ferrieres, *maketh an oration against it.* 771, 772
The Decree of the generall reformation. 808,809, *&c.*
The reformation of Princes. 811,812, *&c.*
Regulars *are complained of by the Prelats, and defend themselues.* 169
They begin to mutine about their exemptions. 761
Their reformation. 806
Religion is changed in England. 295,384,421
Religion is changed in Denmarke. 84
Religion is changed in the Palatinate. 148.398
Religion is changed in Scotland. 426,451
Reputation is the chiefest ground of the Papal greatnesse. 29
Residence is treated of. 191,216,217, *&c.*
whether it be de iure diuino. 218,219
The Cardinall of Monte *will not suffer that question to be decided.* 232
The question is set on foot againe. 486, 487, *&c.*
It causeth great feare in Rome. 502
Is disputed on againe. 505.510
The disputation of it is diuerted by the Legates. 550
Residence is decreed. 723,736
The reformation of it is decreed. 739
Richard *of* Vercelli *dieth with griefe because he was in disgrace with the Legats for speaking*

king freely in Councell. 566.569
Rites *of the Roman Church are diuers.* 548
Rome *is taken by the* Colonnesi. 41
And by the Dutch men, *and Duke of* Borbon. 43
Rota *in* Rome *(which is the greatest Court of iustice there) reiecteth a cause of the Bishop of* Segouia *assisting in Councel, for suspition of heresie, because he did not second the Popes designes.* 678

S

Sacraments *in generall are handled.* 234, 235, *&c.*
How they doe containe and cause grace. 237
A Decree of reformation is made concerning them. 245
and Anathematisмes. 248
Safe-conduct *is required by the Protestants to goe to the Councell.* 316
The Contents of it. 341
It is disliked by the Protestants, 343,344
The Councell refuseth to alter it. 369
Santa-Croce *the Legate is threatned by the Emperour to bee cast into the riuer* Adice. 202
Schisme in the Councell, some remaining in Trent, *and others being gone to* Bolonia. 269,274
Scotland *shaketh off obedience to the Pope.* 426,451
Session the first, held in Trent, *Decem.* 13. *an.* 1545. 130
The second Ian. 7. 1546. 139
The third, Feb. 4. 1546. 147
The fourth Apr. 8. 1546. 162
The fift Iune 17. 1546. 184
The sixt Ian. 13. 1547. 223
The seuenth March 3. 1547. 263
The eight Mar. 11. 1547. 267
The ninth, and first in Bolonia *Aprill* 21. 1547. 270
The tenth, and second in Bolonia *Iune* 11. 1547. 276
The eleuenth Session, and first in the second reduction in Trent *May* 1. 1551. 313
The twelfth and second in the second reduction in Trent *Sept.* 1. 1551. 317
The thirteenth Session Oct. 11. 1551. 339
The fourteenth Nouemb. 25. 1551. 356
The fifteenth Ian. 25. 1552. 369
The sixteenth, which is the sixt and last vnder Pope Iulius *the third April* 28. 1552. 376
The seuenteenth, and first vnder Pope Pius *the fourth Feb.* 26. 1562. 469
The eighteenth, and second vnder Pius *the fourth Feb.* 26. 1562. 480
The nineteenth, May 14. 1562. 506
The twentieth Iune 4. 1562. 511
The one and twentieth Iul. 16. 1562. 536
The two and twentieth Sept. 17. 1562. 572
The three and twentieth Iul. 15. 1563. 737
The foure and twentieth Nouem. 11. 1563. 783
The fiue and twentieth and last of the Councell of Trent. *December* 3. *and* 4. 1563. 805
Session in the Councell of Trent *had no reall difference from a generall congregation.* 662
Siluester Prierius *writeth against* Luther. 6
Simoneta *maketh a faction about the Institution of Bishops.* 607
Simonie is discussed, with all doubts belonging to it. 398,399,492, *&c.*
Simonie is laid to the charge of Pope Pius *the fourth.* 628
Smalcalda, *in which there was a great assembly of the Protestants.* 77
Soto *is suspected to bee a* Lutheran. 178
Writeth three bookes De natura & gratia, *as a Commentarie vpon that Decree of the Councell; and is opposed by* Andreas Vega. 216,229
Being readie to die he writeth a letter to the Pope concerning Conciliarie matters. 693
Subscription of the decrees of the Councell. 813
Suisses *are diuided in religion.* 45
Make a league after the death of Zuinglius 60
are inuited to the Councell by the Pope. 164
are much fauored by Pope Iulius *the third.* 313
Supplication sent out of France *into* Spaine. 447
Suspension of the Councel is made for two years. 376,377
But continueth ten yeares. 381

T

THechel, *a* Dominican, *writeth against* Luther. 5
Title of the Councell is much questioned. 134, 141, 142, 481.
Titular Bishops spoken against and defended. 717
The Bishop of Conimbria *speaketh against them.* 735
Traditions are discoursed on. 151,152, *&c.*
Are made to be of equall authority with the Scripture. 154
Translation of the Councell to Bolonia *is resolued on in* Rome. 259
and executed in Trent. 266,267, *&c.*
The discussion of the cause thereof is referred

to certaine delegates in Rome. 283
Treasure of the Church what it is. 6
Trent *is named for the place to hold the Councell in: but the Protestants will not consent.* 101
The Legates are recalled from Trent, *because they were left alone.* 104
and are sent thither againe. 111
The Councell of Trent *is protested against by the Protestants.* 126
It beginneth the 13. *of December*, Anno Dom. 1545. 129,130

V.

VErgerius *is sent* Nuncio *to King* Ferdinand. 52
Is made Nuncio *in the place of* Hugo Rangone, *Bishop of* Rheggio. 66
Is recalled out of Germanie. 72
and sent backe. 73
His negotiation. 74
Returneth to the Pope, and is rewarded. 78
Goeth to the Colloquie *in* Wormes *under a false name.* 93
Flyeth to the Councell for succour, and after quitteth both it and Italy. 154
Discouereth the plots of the Romanists to the Suisses *and* Grisons. 345
Writeth against the Bull *of the intimation of the Councell.* 435
Being in Valtellina, *maketh obiections against the Councel.* 743
Vincentia *is chosen to hold the Councell in.* 84
Three Legats are sent thither. 85
The Councell is deferred. 86
and afterwards suspended during pleasure. 90
The Venetians will not suffer the Councell to be held in Vincentia. 100
Virgin Marie *is exempted from sinne by the* Franciscans. 175,180
How she came to be worshipped. 181,182
Vnction, *and the doctrine of it.* 350, 351
Vnion *of Benefices was inuented to Palliate* Pluralitie. 251
Vniuersities of Louaine *&* Collen *condemne* Luthers *Bookes.* 9
and so doth the Vniuersitie of Paris. 16
Voices *in Councell to whom they belong by right.* 62
How they haue beene giuen in Councel in all ages. 135
whether they may be giuen by Proctors. 707
Vulgar tongue *in the Church what inconuenience it bringeth.* 460
How it hath beene vsed in former times. 577,578

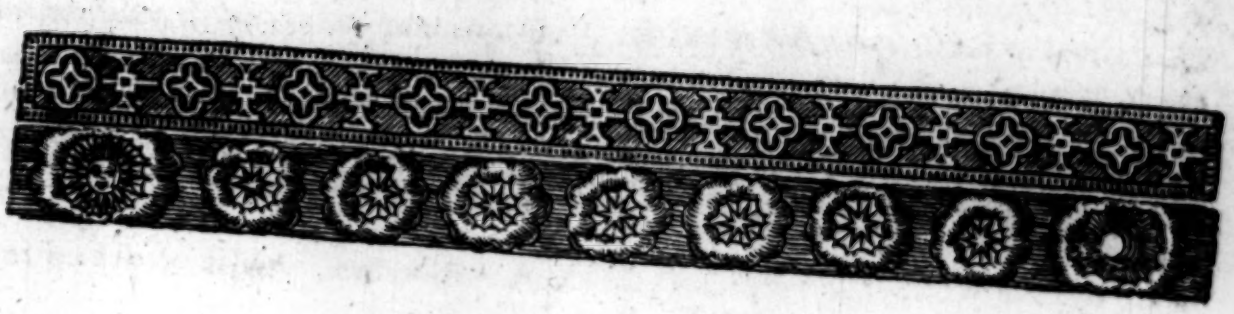
W.

WAldenses, *or* Albigenses *in the* Alpes. 3
are miserably slaine by the Frenchmen. 119
Obtaine a great victorie against the Duke of Sauoy. 446
War *betweene the Emperour, and the French King.* 102
The Pope doth more intend the war against the Protestants, then the Councell. 144
Rumors of the Protestants armes causeth the Councell to be suspended. 377
Warre in France *betweene the Protestants and Papists.* 647
VVolfey *is delegated by the Pope to heare the cause of the diuorce of* Henrie *the eight.* 68
Workes of good men how they are to be valued. 196
Workes before grace. 198
Workes after grace. 199

Z.

ZVinglius *in* Zuric *appeseth the Pope, beginning from the abuse of Indulgences preached by* Friar Sampson *amongst the* Suisses. 9
The Bishop of Constance *writeth, and the* Dominicans *preach against him; by which meanes he is the more stirred vp.* 16
His difference with Luther. 48
Is slaine in battaile. 59
Zuric *maketh a Decree in fauour of the reformed religion.* 17

FINIS.



LONDON,

¶ Printed by Robert Barker, and
IOHN BILL, Printers to the Kings most
Excellent Maiestie.

ANNO DOM. M. DC. XX.

C 21761 FOL.
17939 [illegible].
SL

REPRODUCED FROM THE COPY IN THE

HENRY E. HUNTINGTON LIBRARY

FOR REFERENCE ONLY. NOT FOR REPRODUCTION

1546 and remoue the impediments; which was of the greatest importance, because those being taken away, residencie would follow; and that it was no matter from whence the obligation came, so it were executed; and that this beeing done, the matter would better be discussed. It pleased the maior part that the one and the other should bee done: whereunto the Legates gaue consent, vpon condition, that the dispensations should not bee spoken against, but to cause them not to be desired, that the impediments should be taken away, which come by exemptions: wherein there was as much spoken, and with no lesse contention, between those which held euery exemption for an abuse, and those who thought them necessarie in the Church, and reproued onely the excesses.

Pavl 3. Charles 5. Henry 8. Francis 1.

A discourse of the author concerning exemptions.

S. *Ierom* witnesseth that in the first beginnings of Christianity, the Churches were gouerned by a kinde of Aristocracie, by the common counsel of the Presbyterie: but to withstand the diuisions which were brought in, the monarchicall gouernement was instituted, giuing all the superintendencie to the Bishop, whom all the orders of the Church did obey, neither did any one thinke to withdraw himselfe from vnder the authority. The neighbour Bishops, whose Churches, because they were vnder one Prouince, had commerce, did gouerne themselues also in common by Synods; and to make the gouernement more easie, attributing much to the Bishop of the principall Citie, they made him as it were Head of that bodie: and by a more ample communion, which all the Prouinces of one prefecture or great gouernement held together, the Bishop of the Citie where the Ruler did reside, gained a certaine superioritie, by custome. These prefectures were, the Imperiall Citie of *Rome*, with the Cities adioyning; the prefecture of *Alexandria*, which gouerned *Egypt*, *Libya*, and *Pentapolis*: of *Antioch*, for *Syria*, and other Prouinces of the East: and in other lesser prefectures, called in Greeke, [illegible] the same was obserued. This gouernment, brought in, and approoued by custome onely, which found it commodious, was established by the first Councell of *Nice* vnder *Constantine*, and ordained by a Canon that it should continue: and euery one was so farre from putting himselfe out of this order, that the Bishop of Ierusalem hauing many honourable preheminencies, perhaps because it was the place where our Sauiour Christ conuersed in the flesh, and was the fountaine of Religion, the Councell of *Nice* did ordaine that those honors should still remaine, but so that nothing was detracted from the Metropolitan, then Bishop of *Cesarea*. This gouernement, which hath bin euer held in all the Churches of the East, was altered in the Latine, because many great Monasteries beeing built, gouerned by Abbates of great fame and worth, who, by their conspicuous vertues, made the Bishops afraid, there arose some emulation betweene these and those: and the Abbates, to free themselues from these inconueniences, whether reall, or fayned, and to couer their ambition, to withdraw themselues from the subiection which they owed, did obtaine of Popes to bee receiued vnder the protection of Saint *Peter*, and immediately vnder the subiection of the Pope. This beeing profitable for the Court of *Rome*, because he that obtayneth priuiledges, is bound to maintaine the authority of him that granteth them, suddenly all the Monasteries were exempted. The Chap-

ters also of Cathedrall Churches, consisting for the most part of Regulars, by the same pretences, did obtaine exemption. Finally, the Cluniacensian and Cistersian Congregations were all wholly exempted, with great enlargment of the Popes authority, which came to haue subiects in all places, defended and protected by the Papacy, and interchangeably defenders and protectors. The inuention was not commended by Saint *Bernard*, who liued in that time, and was of the Cistersian Congregation: yea hee admonished Pope *Eugenius* 3. to consider thereof, that all were abuses, that it ought not to be well taken if an Abbat did refuse to obey the Bishop, and the Bishop the Metropolitane: that the militant Church should take example by the triumphant, where no Angel euer said, I will not be vnder the Archangel. But *Bernard* would haue said more, if he had liued in the times following, when the Mendicant Orders, obteyned, not only a generall exemption, from the Episcopall authority, but power also to build Churches, in any place whatsoeuer, and to administer the Sacraments in them. But in these last ages the abuse went on so far, that euery petty Priest did obtaine, with a small charge, an exemption from the superiority of his Bishop, not onely in causes of correction, but also to be ordayned by whom he listeth, and in summe, not to acknowledge the Bishop at all.

1546. PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

This being the state of the cause, and the Bishops requiring remedy, some that were more vehement, returned to the things spoken in the Congregations, that were before the other Session, against the exemption of Friars. But the wiser sort thinking it impossible to obtaine any thing, so long as the number and greatnesse of the Regular Orders continued, and fauour of the Court, they were contented to remooue onely the exemptions of the Chapters, and particular persons, and demanded a reuocation of them all. But the Legates, treating with them in particular, and putting them in mind that all the reformation could not bee made by that Session, that is was fit to begin, and leaue something for future times, made them rest contented, that the exemption of particular Priests, Friars, not inhabiting in the Cloysters, and of Chapters, only in criminall causes, should be remooued (from whence the greater disorders doe arise;) as also faculties to giue Clericall Orders to him that resideth not in his owne dioceese: promising to prouide against the other abuses in another Session.

A small reformation in matter of exemption is made.

While these things were handled in *Trent*, the Pope hauing receiued aduise from the Cardinall *Farnese*, considering with how small reputation an Apostolique Legate did remaine in *Ratisbon*, when his souldiers were in the field, he recalled him: and, with him, a great number of Italian Gentlemen, which were of the Popes troupes, did depart. In the middest of October, the two Armies were so neere, at *Sanchem*, that there was but a little riuer betweene them. And standing so, *Octauius Farnese*, sent by the Emperour with the Italians, and some Dutch men, tooke *Donawert* in the sight of the enemy, who hauing done nothing while he was in *Suenia* but hindered the Emperour, was constrayned in November to abandon the Country, by reason of a great diuersion, made by the *Bohemians*, and others of the Imperiall faction, against *Saxonie*, and *Hassia*, places belonging to the two Protestants Heads, who retired to defend their owne Countries, leauing *High*

Card. Farnese, the Popes Legate with the Emperour, is recalled.

The two Armies are neer together, and Donawert is taken by Octauius Farnese.

High Germany is left to the Emperors discretion.

1546
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

Germanie at the Emperours discretion; and this was the cause why many Princes and Cities combined, did incline to composition with him, hauing honest caution to hold their religion. But he would not make mention thereof in writing, lest the warre should seeme to bee made for that cause, which would offend those that followed him, make others more vnwilling to render themselues, and giue suspicion to the Ecclesiastiques of *Germany*, who hoped to see the Romane rites restored in euery place. Yet his Ministers promised them all, that they should not be molested in the exercise of religion, excusing their Master, if, for many respects, he could not satisfie them, to make a capitulation thereof: and hee so caried himselfe, that his resolution appeared to giue them content, by conniuencie. By these seditions the Emperour gained much artilery, drew much money from the Cities, to the value of many hundred thousands, and, which was of greatest importance, was absolute Lord of all *High Germany*.

The Pope is ielous of the Emperor, and recalleth his forces.

This happinesse made the Pope ielous, and thinke to prouide for himselfe before all *Germany* were subdued. His souldiers vnder the conduct of his grand-child *Octauius*, were much diminished in number, by reason of those who parted with the Cardinall *Farnese*, and of others who did runne away by whole rankes, for the incommodities they suffered. The residue, in the middest of December, the Emperours Army beeing lodged neere the Village of *Sothen*, departed, by order from the Pope, from whom *Octauius* had commandement to returne into *Italy*, and to tell his Vncle, that the sixe moneths beeing ended, the Pope could no longer beare so great a charge: that the time of the obligation was ended, and that effected for which the league was made, that is, *Germany* brought into obedience.

Whereof the Emperour complayneth.

The Emperour complayned, that he was abandoned, when he had most neede of helpe. For nothing was done, so long as the Heads were not oppressed, who could not bee said to be subdued, but retired only, to defend their owne Territories; and being deliuered from feare, it was to be doubted they would returne with greater forces, and better order, then before. But the Pope iustified his not continuing in the league, and the departure of his men, by saying, that he was not made partaker of the composition with the Cities and Princes, which could not be established without him; and especially, because it was made with much preiudise of the Catholique faith, tolerating heresie, which might haue bene rooted out.

The Pope iustifieth his action.

That, according to capitulation, hee had not beene partaker of the profits of the warre, nor of the money the Countries paid which did compound; that the Emperour complayned, when himselfe was offended and disesteemed, euen with dammage of religion. Nor content with this, hee forbade the Emperour to receiue money of the Churches of *Spaine*, longer then the sixe moneths: and though the Emperours Ministers made many effectuall treaties with him, shewing that the cause continuing, for which they were granted, it required that the grant also should continue, and that all would bee in vaine and without fruit, if the warre were not ended, yet they could not remoue him from his resolution.

The *Fleschi* make a conspiracy against the *Dorij* in *Genua*, for which the Pope is blamed by the Emperour.

In *Genua*, the familie of the *Fiescbi*, making a dangerous conspiracie (which had almost taken effect) against that of the *Dorij*, which followed the Emperors side, the Emperour was assured that the Popes son, the Duke of *Placenze*

was author of it, and beleeued that it came from the Pope, and refrained not to adde this complaint to the others. The Pope beleeued the Emperour would be busied in *Germany* a long time, and not be able to offend him with temporal forces, but feared he might trouble him by making the Protestants goe to the Councell. To separate the Councel seemed too violent and scandalous a remedy, especially hauing continued seuen moneths in a treaty, whereof nothing was published. He was of opinion to publish the things already digested, seeing that, by that declaration, either the Protestants would refuse to goe thither, or, if they went, would bee constrained to accept it; wherein the principall point of all the controuersies consisting, the victory would bee his owne. And if there were no other reason to doe it, this was sufficient to prooue it was good for him, because the Emperour would not haue any controuersies decided. For the counsels of those that haue contrary ends, ought to bee contrary. Hee saw well, that the Emperour would take it for an affront: But the distasts betweene them were already so great, that little could be added to them; and the Pope, when he was pressed with reasons, which did perswade and dissuade, was wont to vse the Florentine saying, A thing done hath an head; and so to execute that which was necessary. Therefore hee wrote to the Legates in Christmas, that they should hold a Session, and publish the Decrees already framed. This commandement beeing receiued, they called a Congregation the third of Ianuary, in which hauing determined, by the vniforme consent of all, to intimate a Session for the thirteenth, in regard it was tedious to all, to remaine there so long, and resolue of nothing; the Legates did propose the publication of the Decrees framed. For those of faith, the Emperours Prelates opposed, and said, that there was no opportunity as yet, and that it sufficed to publish the reformation. But the *Papalins* vrged the contrary; alledging it was knowen to all the world, that the point of grace and iustification had beene discussed seuen moneths together, and that the Decree was established; and that it would be a derogation to the faith, if the Councel should seeme to feare the publishing of the truth, which was decided. And because these were more in number, their opinion, assisted by the Legates, preuailed. The two next Congregations were spent, in reading againe the Decrees, as well of faith as reformation: the which, some small matters beeing corrected, by the aduice of those who were not present at the first, pleased them all. The Legates, accompanied with the Prelates, went to the Church with the vsuall ceremonies, on thursday the thirteenth of Ianuary, and held the Session; where *Andreas Cornarus*, Archbishop of *Spalato*, sang Masse, *Thomas Stella*, Bishop of *Salpi*, did preach; and the Decrees of faith and reformation were read.

1547. Paul 3. Charles 5. Henrie 8. Francis 1.

The Popes resolution concerning the proceeding in Councel.

The Session is held the 13. of Ianuary, and the Decrees of faith and reformation are published.

The first conteyned sixteene heads, with their prohemes, and thirty three *anathematismes*. After it had forbid to beleeue, preach, or teach, otherwise then was constituted and expressed in that Decree, it declared in substance. 1. That neither Gentiles, by natural meanes, nor Iewes, by the letter of *Moyses*, haue beene able to free themselues from sinne. 2. Whereupon GOD sent his sonne, to redeeme the one and the other. 3. Who, though he died for all, yet those onely enioy the benefit, vnto whom his merit is communicated.

1547

1547 Paul 3. Charles 5. Henry 8. Francis 1.

nicated. 4. That the iuſtification of the wicked, is nothing but a tranſlation, from the ſtate of the ſonne of *Adam*, into the ſtate of the adopted ſonne of God, by Iesv Christ, which, after the publication of the Goſpel, is not done without Baptiſme, or the vow thereof. 5. That the beginning of iuſtification, in men of age, proceedeth from preuenting grace, which inuiteth to diſpoſe themſelues, conſenting, and cooperating with it freely: which they doe willingly and might refuſe. 6. The manner of the preparation, is firſt to beleeue, willingly, the diuine reuelations, & promiſes, and knowing ones ſelfe to be a ſinner, to feare hee hath not the grace of God, to turne to his mercy, to hope for pardon from him, and therefore to beginne to loue him, and hate ſinne: and finally, purpoſing to bee baptized, to begin a new life, and keepe the commandements of God. 7. That iuſtification followeth this preparation, which is not onely a remiſſion of ſinnes, but ſanctification alſo; and hath 5. cauſes: the finall, the glory of God, and eternall life: the efficient, God: the meritorie, Christ: the inſtrumentall, the Sacraments: and the formall, iuſtice, giuen by God, receiued according to the good pleaſure of the holy Ghoſt, and according to the diſpoſition of the receiuer, receiuing, together with remiſſion of ſinnes, faith, hope, and charity. 8. That when Saint *Paul* ſaith, that man is iuſtified by faith, and *gratis*, it ought to be vnderſtood, becauſe faith is the beginning, and the things that precede iuſtification are not meritorious of grace. 9. That ſinnes are not pardoned to him that vaunteth, and repoſeth himſelfe onely in the confidence, and certainty of the remiſſion. Neither ought it to be ſaide, that only faith doth iuſtifie, but euery one as hee ſhould not doubt of the mercy of God, the merits of Christ, and efficacie of the Sacraments, ſo, in regard of his owne indiſpoſition he may doubt, becauſe hee cannot know by certainty of infallible faith, that he hath obtained grace. 10. That the iuſt are more iuſtified by obſeruing the commandements of God and the Church. 11. That it can not bee ſaide, that the commandements of God are impoſſible to the iuſt, who, though hee fall into veniall ſins, yet ceaſeth not to be ſo; that no man ought to rely on faith onely, nor ſay, that the iuſt ſinneth in euery good action, or committeth ſin, if he doe any thing for reward. 12. That no man ſhould preſume hee is predeſtinated, beleeuing that the iuſtified can ſinne no more, or ſinning, can promiſe himſelfe repentance. 13. That no man can promiſe to himſelfe abſolute certainty to perſeuere vntill the end, but ſhould put his hope in the aſſiſtance of God, who will continue, if man faile not. 14. That thoſe that are fallen into ſin may againe receiue grace, beeing ſtirred vp from aboue to recouer it by repentance, which differeth from *baptiſme*, becauſe it conteyneth not only contrition, but ſacramental confeſſion, Prieſtly abſolution, at the leaſt in vow, and ſatisfaction beſides for the temporall puniſhment, which is not alwayes remitted altogether, as in baptiſme. 15. That the grace of God is loſt, not onely by infidelity, but by any mortall ſinne, though faith be not loſt by it. 16. It propoſeth to the iuſt the exerciſe of good workes, by which eternall life is gayned, as grace promiſed by the mercy of God, and a reward due to good workes by the diuine promiſe. And it concludeth that this doctrine doth not eſtabliſh any iuſtice of our owne, refuſing the iuſtice of God, but the ſame is ſaid to bee

ours,

ours, becauſe it is in vs, and of GOD, being infuſed by him for the merit of CHRIST. In fine, to make euery one vnderſtand, not only the doctrine to bee followed, but that alſo which is to be auoyded, it addeth Canons, againſt him that ſaith. 1. That a man may bee iuſtified without grace, by the ſtrength of humane nature, and doctrine of the Law. 2. That grace is giuen to liue well with greater facilitie, and to merit eternall life, as if free will can doe it, but with difficultie. 3. That a man may beleeue, loue, hope, or repent, as hee ought, without the preuention, or aſſiſtance of the holy Spirit. 4. That free will, excited by GOD, doeth not cooperate, to diſpoſe vs to grace, nor can diſſent, though it would. 5. That after the ſinne of *Adam* free will is loſt. 6. That it is not in the power of man to doe ill, but as well bad as good workes, are done, not onely by Gods permiſsion, but by his owne proper working. 7. That all workes, done before iuſtification, are ſinnes, and that a man ſinneth the more, by how much the more hee laboureth to diſpoſe himſelfe vnto grace. 8. That the feare of hell, which maketh vs abſtaine from ſinne, and to flie to the mercie of GOD, is ſinne. 9. That the wicked is iuſtified by faith onely, without preparation, proceeding from the motion of his will. 10. That man is iuſtified without the iuſtice by which CHRIST did merit for vs, or is formally iuſt by that. 11. That he is iuſtified onely by the imputation of the iuſtice of CHRIST, or onely by remiſsion of ſinnes without inherent grace and charitie; or that the grace of iuſtification is onely the fauour of GOD. 12. That iuſtifying faith is nothing but confidence in the mercy of God, who remitteth ſinnes for CHRIST. 13. That, for remiſsion of ſinnes, it is neceſſarie to beleeue they are remitted, not doubting of ones owne indiſpoſition. 14. That man is abſolued and iuſtified, becauſe hee doeth firmely beleeue it. 15. That hee is bound by faith to beleeue that hee is in the number of the predeſtinated. 16. That one may bee certaine hee hath the gift of perſeuerance, without ſpeciall reuelation. 17. That onely the predeſtinated obtaine grace. 18. That the Commandements of God are impoſſible to the iuſt. 19. That there is no other Euangelicall precept but of faith. 20. That the iuſt and perfect man is not bound to obſerue the Commandements of God and the Church, or that the Goſpel is a promiſe without condition of obſeruing the Commandements. 21. That CHRIST is giuen for a redeemer, not for a law-maker. 22. That the iuſtified may perſeuere without the ſpeciall aſſiſtance of God, or cannot with it. 23. That the iuſt cannot ſinne, or can auoyde all veniall ſinnes, without a ſpeciall priuiledge, as the Church houldeth of the Virgin. 24. That iuſtice is not preſerued and increaſed by good workes, but that they are fruits onely or ſignes. 25. That the iuſt ſinneth mortally, or venially, in euery worke. 26. That the iuſt ought not to expect a reward for his good workes. 27. That there is no mortall ſinne but infidelitie. 28. That grace being loſt, faith is loſt alſo; or that the faith remayning is not true nor of a Chriſtian. 29. That man ſinning after baptiſme, cannot bee lifted vp by the grace of God, or may recouer it by faith onely, without the Sacrament of penance. 30. That euery fault and puniſhment is wholly remitted to euery penitent man, there remaining no temporall puniſhment, to bee indured in this life, or in Purgatorie. 31. That

1547
PAVL. 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.
The Canons.

the

1547 Paul 3. Charles 5. Henry 8. Francis 1.

the iust sinneth, if hee doe good, onely in hope of an eternall reward. 32. That the good workes of the iust, are the gifts of God, and are not withall the merits of the iustified. 33. That this doctrine is derogatory to the glory of God, and merits of CHRIST, or that their glory is not made more illustrious by it.

The authors reason why he rehearseth the decrees though they be printed in a volume apart.

When I had made this short narration of the decree, I began to thinke it superfluous, seeing all the decrees of that Councell are printed in one volume, and in euery mans hands, and that, in the composition of the Actes that follow, I might referre my selfe to that booke: and I was about to teare this leafe. But considering that some might desire to reade the whole continuation in one booke onely, and that if any thought it better to see the originall, hee might omit this mine abbreuiation, I resolued not to change, but to obserue the same stile in the matters following: and the rather, because I am grieued, when, in *Zenophon* or *Tacitus*, I see the narration of things, most knowen to their times, omitted, which remaineth vnknowen to mee, because there is no meanes to know it againe: and I hold it for a maxime, that one ought neuer to referre himselfe to another. Therefore I come to the summe of the decree of reformation.

The Decree of reformation.

Which did containe in substance; 1. That the Synod being willing to amend the depraued manners of the Clergie and people, thought fit to begin with the gouernours of the greater Churches. Therefore trusting in God, and his Vicar on earth, that that charge shall be giuen to worthy men, exercised from their youth in Ecclesiasticall discipline, it doth admonish them to performe their duetie, which cannot be executed, without residing in the place, where it is to bee done: Yet many, leauing the flocke, and care of the lambes, wander in Courts, and applie themselues to secular businesse. Therfore the Synod doth reuiue all the ancient Canons against non-residets, and doth constitute besides; that euery gouernour of a Cathedrall Church, of what title or preeminencie soeuer, who shall remaine sixe moneths together out of his Dioceese, without a iust and reasonable cause, shall lose the fourth part of the reuenues, and if hee perseuere sixe moneths more, shall lose another fourth part, and the contumacie increasing, the Metropolitane, vpon paine of not entring into the Church for three moneths, shall delate him to the Pope, who, by his supreame authoritie, may inflict greater punishment, or prouide the Church of a more profitable Pastor. And if the Metropolitan shall likewise offend, the most ancient Suffragan shall bee bound to denounce him.

2. But others, inferiours to Bishops, tied to residence either by law or custome, shall bee compelled thereunto by the Bishops, abrogating euery priuiledge which giueth a perpetuall exemption from residing. But dispensations granted for a time, for a reasonable cause, true, and prooued before the Ordinarie, shall remaine in force, and the Bishop, as Delegate of the Apostolike Sea, shall take care that a sufficient Vicar bee prouided for the charge of soules, with a conuenient portion of the reuenues, notwithstanding any priuiledge or exemption.

3. Beside that no Clerke, by personall priuiledge, or regular dwelling out of the Monasterie, by priuiledge of his order, shall bee exempt from being

beeing punished, if he offend, or visited, or corrected by his Ordinary. 1547
4. Likewise that Chapters of Cathedrall and other Collegiate Churches, shall not, by vertue of exemption, customes, oathes, and agreements, bee freed from the visitation of their Bishops, and greater Prelates, when there shall be need. PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

5. In fine, it did ordaine that no Bishop might exercise Pontificall acts in the dioceſse of another, by pretence of priuiledge, without his leaue, and onely ouer his subiects. And the day of the next Session was appointed the third of March. The next Session to bee held the 3. of March.

In *Rome*, the Decree of faith ministred no matter of discourse, in regard it was not new, as well because it had beene seene, and examined publikely (as hath beene said) as because all men knew that the Germane opinions were to bee condemned. But the Court Bishops, who had beene afraid a long time of the Article of residencie, which was handled, did rest content, assuring themselues that the Decree of the Councel, could worke no greater effect, then the Popes Decretals had done before. But the inferiour Courtiers were discontented, seeing the Bishop had power to compell them. They lamented their owne misery, who were to serue all their life to gaine their liuing, and after so much paines taken, for a reward, must be confined in a village, or, by a base Canonrie, subiected to a greater slauery, in obeying the Bishops, who will not onely keepe them, as it were, tied to a stake, but with visitations, and pretence of corrections, will bring them to a miserable subiection, or hold them in perpetuall vexations, and charge. The inferiour Courtiers are discontented with the reformation.

But elsewhere, and especially in *Germany*, when the Decrees were seene, that of faith was more spoken of: which must bee read ouer and againe, with much attention and speculation, because it could not bee vnderstood without a perfect knowledge of the inward motion of the mind, and without knowing in whom it is actiue, in whom passiue, things most subtile, and, for the diuers appearance they make, euer accounted disputable; all the doctrin of the Councel turning vpon this hinge, whether the first obiect of the will worke vpon the will, or the will vpon the obiect, or whether they bee both actiue and passiue. Some pleasant wits said, that if the Astrologers, not knowing the true causes of the celestiall motions, to salue the appearances, haue inuented *Eccentriques*, and *Epicicles*, it was no wonder if the Councel, desiring to salue the appearances of the super-celestiall motions, did fall into *excentricitie* of opinions. The Gramarians did not cease to admire and scoffe the artifice of that proposition, which is in the fifth chapter, *Neque homo ipse nihil omnino agat*; which they saide was not intelligible, and without example. For if the Synode would signifie: *Etiam homo ipse aliquid agat*; it might say so plainely, as is fit to doe in matter of faith, where the more simple expression is the better; and if they would vse an elegancie, they might say, *Etiam homo ipse nihil agat*. But the word (*omnino*) beeing interposed, that speech is incongruous and without sence, as all are which haue two negatiues that cannot bee resolued into an affirmatiue. For to resolue that, one must say, *Etiam homo ipse aliquid omnino agat*, which is incongruous, and not to bee vnderstood, what *aliquid omnino* may signifie heere. For it would say The Decrees are censured in *Germany*.

that

1547 Pavl 3. Charles 5. Henry 8. Francis 1.

that a man hath an action in a certaine kinde, which in another kinde is no action.

The Fathers were defended, by saying, that to examine the forme of Speech so seuerely, was nothing but to cauill. Whereunto they replyed that a gentle interpretation was due vnto vsuall formes of speach, but that it is a publique vtilitie to discouer the artifice of him, that, leauing the cleere and vsual phrases, inuenteth those that are incongruous, and containe in them contradiction, to cauill, and to play on both sides.

Those that vnderstood Theologie said, that the doctrine, that a man may alwayes refuse diuine inspirations, was contrary to the publike, and ancient prayer of the Church. *Et ad te nostras etiam rebelles compelle propitius voluntates*: Which is not fit we should say is a vaine desire, but that it is made by faith, as S. *Iames* saith, and granted by God to his elected. They added that one could no more say with Saint *Paul*, that it commeth not from man, which doeth separate the vessell of wrath from those of Gods mercie, that which separateth being that humane, *Non nihil omnino*. Many did consider that place of the seuenth Chapter, where it is sayd, Iustice is giuen by measure, according to the good pleasure of God, and the disposition of the receiuer; both which things cannot bee true. For if it pleased God to giue more to him that were lesse disposed, it would not bee by measure of the disposition; and if it bee by the measure of that, there is alwayes the motiue by which God worketh, and doeth not vse his good pleasure. They marueiled that those were condemned, who sayde that the Precepts of God were impossible to bee kept; seeing that the same Councell, in the Decree of the second Session, exhorteth the faithfull assembled in *Trent*, that, repenting, confessing, and communicating, they should obserue the Commaundements of God, *Quantum quisquis poterit*. Which modification would be impious, if the iustified could keepe them absolutely; and they noted that the same word, *Precepta*, was there, to take away all cauill.

Those that were read in the Ecclesiasticall Storie, saide, that in all the Councels, held in the Church, from the Apostles time vntill now, there were neuer so many Articles decided, as in this Session onely; in which *Aristotle* had a great part, by hauing exactly distinguished all the kindes of causes, which if hee had not done, wee had wanted many Articles of Faith.

The Polititians also, though they ought not to examine matters of Religion, but simply follow them, yet found matter of discourse in this Decree. For seeing, in the tenth Chapter, the Obligation of obeying the Commandements of GOD and the Church, and the same replyed in the twentieth Canon, they were scandalized, because there was no mention of Obligation to the commandements of Princes and Magistrates. They said that obedience vnto these is more plainely set downe in the Scripture; that the olde Law is full of it; that the doctrine is cleere in the new Testament, expressed, and handled at large by CHRIST himselfe, by Saint *Peter*, and Saint *Paul*. That there is found an expresse Obligation to heare the Church, but none expresse to obey it. Hee is obeyed who commandeth of his owne power, and hee is heard who doeth promulgate that which belongeth to another man. Neither

ther were these men satisfied with the excuse, that the commandements of Princes are included in those of God, and that obedience is due vnto them, because God hath commanded they should bee obeyed. But they replyed that, by this reason, the Church rather ought to bee omitted; and saide that the Church was expressed, and the Princes passed ouer in silence, to breede (according to the ancient scope of the Ecclesiastiques) that pernicious opinion, that men are bound to obey them for conscience sake, and Princes and Magistrates onely for feare of temporall punishments, and that otherwise their commandements may be transgressed without respect, and so to cause euery gouernement to be hated, accounted tyrannicall, and subuerted, and, by describing the subiection vnto Priests to be the only principall way to gaine heauen, to draw all iurisdiction to themselues, and by consequence, all authoritie. 1547 Paul 3. Charles 5. Henry 8. Francis 1.

The Decree of reformation was sayd to bee a meere illusion. For to trust in God and the Pope that prouision should bee made of persons worthy to gouerne the Churches, belongeth rather to him that prayeth, then to him that reformeth. To renew the ancient Canons with one word onely, and one so generall, was more to confirme the disuse of them, but if they would restore them in earnest, they should remooue the causes which haue buried them in silence, giue them strength by penalties, and deputation of those that should put them in execution, and should vse other meanes which doe reuiue, and preserue lawes. In fine it was said to haue done nothing, but establish that one might bee absent all the yeere, by loosing halfe the reuenewes, or rather one was taught how he might not reside eleuen moneths and more, without any punishment, by interposing those thirtie dayes or fewer, in the midst of the other time of the yeere; and that the Decree was wholly destroyed, with the exception of iust and reasonable causes, which no man is so simple as not to find, being to haue Iudges for whom it will be profitable not to haue residencie practised.

This place requireth that mention should bee made of a particular accident, which, then begun, though it ended not vntill after foure moneths, belongeth wholly to the present Session and maketh known what the Councell was, and in what estimation it was had by those that assisted in it; for the vnderstanding whereof, I will repeat that Friar Dominicus Soto, who had (as hath beene said) a great part in the Synod, in framing the Decrees of originall sinne and iustification, hauing noted all the opinions and reasons vsed in those discussions, thought to communicate them to the world, and, to draw the wordes of the Decree to his owne meaning, printed a booke containing the whole together, and did intitle it, *De natura & gratia*: and did dedicate it, with an Epistle to the Councell, to her (as hee sayde in the dedication) a Commentarie of the sayd foresaid Decrees. Comming to the Article of the certainety of grace, hee said, in a long discourse, that the Synode had declared, that a man cannot know he hath grace by so great certainetie, as is that of faith, excluding all doubt. *Catharinus*, newly made Bishop of Minori, hauing defended the contrary, and still persuering, did print a little Booke, with an Epistle dedicatorie to the same Synode; the scope whereof was to maintaine that the Councells meaning was not to condemne the

Soto & Catharinus publish Bookes one against another cõcerning the meaning of the Councell, and the Fathers are much deuided.

1547 Paul 3. Charles 5. Henry 8. Francis 1.

opinion of him that faith a iust man may know hee hath grace, as certainely as hee knoweth the Articles of Faith to bee true: yea that the Councell hath decided that hee is bound to beleeue it, because, in the sixe and twentieth Canon, it hath condemned him that faith that the iust man ought not to hope for, and expect a reward, it being necessarie that hee that ought to hope as a iust man, should know hee is so. In this contrarietie of opinions, both writing affirmatiuely to the Councell, either of them did not onely say that his opinion was the opinion of the Synode, but afterwards wrote also and printed Apologies, and Antipologies, making complaints to the Synode the one of the other, of attributing that to it, which it neuer saide, bringing diuers testimonies of the Fathers to proue their owne opinion: who bare witnesse, some for one, some for another; so that the Fathers were all diuided into two parts, except some good Prelates, who, as neutrals, said, that they vnderstood not the difference, but gaue consent to the Decree, in the forme as it was published, because both the parties were agreed. The Legate *Santa Cruz* did testifie for *Catarinus*. *Monte* said, hee was of a third partie. This seemed to put all men out of hope to vnderstand the meaning of the Councel, seeing the principall men that were present in it, did not agree. And it doth raise a difficultie, what that Synode was that determined the Article, vnto which, *Soto* and *Catarinus* did write and appeale, each thinking it was on his side; so that it was necessarie, that either one of them, or both should bee deceiued. And what shall one thinke of the others, when it so happened to these. It might bee said, it was the aggregate of all together, vnto which the holy Ghost giuing assistance, made it to determine the trueth, though not vnderstood by him that did determine it; as *Caiphas* did prophesie, because hee was high Priest, not vnderstanding the prophesie, as the Bishop of *Bitonto* said in his Sermon. But this answere had two oppositions: the one, that God made the reprobate and infidels prophesie, without vnderstanding, but the faithfull, by illuminating their minde: the other, that the Diuines do vniformely say, that Councels do not deliberate of faith, by diuine inspiration, but by humane disquisition, which the Spirit doth assist, to keepe them from errors, so that they cannot determine, without vnderstanding the matter. Perhaps he should hit vpō the truth, that should say, that, debating the contrarie opinions in framing the Decree, euery partie did refuse words contrary to his opinion, and all rested in those which hee thought might bee fitted to his owne meaning: so that the expression of the matter became capable of diuers interpretations. But this would not serue to resolue the doubt proposed, and to find what the Councell was: because it is to giue it vnity of words, and contrariety of meanings. But that which hath been related in this particular, and perhaps did happen in many matters, occurred not in condemning the Lutheran opinions, where all did agree, with an exquisite vnitie.

Councels doe deliberate of faith, not by diuine inspiration, but by humane disquisition.

All agreed in condemning the Lutheran opinions.

An aduertisement giuen by *Catarinus*.

One aduertisement of the same *Catarinus* concerning this matter, written to the Synode in the same booke, is not to be omitted, the Author deseruing not to be defrauded of his inuention. He considered that it was a repugnancie, to say that a man doth receiue grace voluntarily, and that he is not certaine he hath it, because no man can receiue a thing voluntarily, which hee knoweth not to be giuen him, and without being sure he hath receiued it.

But

But to returne to the Councell, the day after the Session a generall Congregation was assembled, to deliberate of, and put in order the matter to be digested in the next Session, and, for matter of faith, it being already determined to follow the confession of *Ausburg*, the first point was of Ecclesiasticall ministery, which the Lutherans say is authority to preach the Gospell, and to administer the Sacraments; and some resting vpon the first part, did propose that the Ecclesiastical authoritie should be handled, declaring all those functions, spiritual and temporall, which God hath giuen them ouer the faithfull, and are denied by the Lutherans. And this did generally please the Prelates, because it was a matter of an easie vnderstanding, without any crabbednesse of the Schoole, and where themselues might haue a part. But it was not gratefull to the Diuines, because those things were not handled in the Schooles; so that they should haue nothing to dispute, and must referre themselues for the most part to the Canonists. They said that the Augustanes doe not handle all Ecclesiasticall authoritie, but that onely of preaching; whereof there was as much decreed in the last Session as was sufficient; but in the second part there was matter that did cohere with iustification, that is, the Sacraments, which are the meanes to be iustified, and said it was more fit to make these the subiect of the next Session. The Legats, and their dependants adhered hereunto, in shew for the same reasons, but indeede for another more potent, because, in the other consideration, they might haue handled the authoritie of Councels, and of the Pope, and proposed many hard matters, not fit to bee mooued. 1547 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

The subiect of the next Session is the Sacraments. The Legates desire to preuent y handling of the authoritie of the Councell and Pope.

Hauing resolued to handle the matter of the Sacraments, it was considered that it was various and ample, not possible to bee comprehended in a Session, nor easie to bee determined into how many parts it ought to bee diuided. The Augustans made it short by taking away foure Sacraments, of which they ought to treate more exactly, to reestablish them: therefore that it was good to begin to discusse the Sacraments in general, & charge was giuen to put in order the Articles drawen out of the Lutheran doctrine, descending also to the sacraméts in particular, of as many as seemed easie to discusse: and that the reformation might follow the definition of faith and doctrine, the abuses, occurring in the ministery of the Sacraments, should be put together, ordaining a Congregation of Prelates and Canonists to discourse of the remedies, and to frame the Decrees, with order, that if they both happened on the same day, *Santa Croce* should bee President of the Theologues, and *Monte* of the Canonists, and both together in the generall Congregation. But beside this, in regard of the promise to continue the matter of residencie, some of the most principall Articles thereof were to bee handled. In this it was not so easie to agree, because the Legates and their adherents had contrary ends to the other Bishops.

The Spanish Prelats hope to regaine Episcopall authoritie.

These began to hope, and to ayme, almost all, but especially the Spaniards, to regaine the Episcopal authoritie, which anciently euery one did exercise in his owne Dioceese, when the reseruations of Benefices, of Cases, or of Absolutions, dispensations, and the like were vnknowen, which they were wont to say in priuate discourse, when few were present, that ambition and auarice had made proper to the Court of *Rome*, vnder a fained colour to

1547 Pavl 3. Charles 5. Henry 8. Francis 1.

mannage them better, and more to the publike seruice of God, and the Church, throughout all Christendome, then the Bishops could doe in their owne Cities, in regard of their imperfection and ignorance. But it was not so, because dissolution and ignorance did not enter into the Episcopall order, vntill they were compelled to goe as seruants to *Rome*. But if bad gouernement were then seene in the Bishops, which caused their authoritie to bee taken away, now it may bee seene to bee worst of all in the Court of *Rome*; so that, by the same reason, that management ought to bee taken away which is not proper to it, but much abused by it.

Card. *Monte* doth cuningly diuert the decision of residence.

The decree, that residencie was required by the Law of God, was esteemed by these Prelats the best remedie for the disease past, and preseruatiue against hereafter. For if God hath commanded Bishops to reside perpetually with the flocke, it followeth necessarily that he hath also prescribed them the charge, and giuen them power to exercise it well. Therefore the Pope cannot call them, or busie them in ought else, nor dispence with them, nor restraine their authoritie, giuen them by God. Therefore they desired to proceede to the determination, saying, it was necessary to resolue the Article, because it was sufficiently discussed. The Cardinall of *Monte* hauing premeditated before, let them speake who were most earnest, that part of the heate might exhale; then he opposed himselfe dexterously, and said, it was necessary to doe it, because the world did expect it, but that they ought to doe it in a fit time; that the difficultie was handled with too much heat, and that in some it had stirred more passion then reason; so that it was necessary to let the feruor be cooled, and to interpose a little time, that, the contentions being forgotten, and charitie reuiued, place may bee giuen to the holy Ghost, without which the trueth cannot bee decided. That the Popes Holinesse, who hath vnderstood, to his griefe, the former contentions, desireth the same, that himselfe also may discusse the matter in *Rome*, and assist the Synod with his counsell. He concluded, with more resolute termes, then so modest a beginning ought to inferre; that no more speach should bee had of it before the Session, because the Popes will was resolutely so, but that they should attend to reforme the inconueniences which haue caused the abuse of not residing. This mixture of remonstrances and power made some of the Fathers, who afterwards did print treatics concerning this matter, say, and put in print, that the Legats did forbid to speake of this question; and others denied it, with an inuectiue against the first, saying, they derogated from the libertie of the Councell. In the end of the Congregation it was resolued to resume the things that remained to be discussed in the last Session, and to treate of remouing the impediments, which are the causes of not residing. Amongst which the most principall beeing pluralitie of Benefices, in regard it was impossible to reside in many places, it was resolued to treate of that.

But to auoid confusion, I will relate withall that which belongeth to the Sacraments, where the consideration, for the most part, was speculatiue and doctrinal, not to interrupt the order of the matter of Benefices, wherein some things hapned which did open a way to important and dangerous actions. Articles were framed by the deputies in matter of the Sacraments, and the

maner of ſpeaking of them was preſcribed to the Diuines, communicated to all in a ſheet of paper, with order that they ſhould ſay, whether they were all hereticall or erronious, and ought to be condemned by the Synode; and if any deſerued not that ſentence, they ſhould alleadge their reaſons and authority; and after ſhould declare what was the opinion of Councels, and of the holy Fathers, in all thoſe, and which of the Articles haue beene reprooued already, and which remaine to be condemned: and if in this matter any one ſhould finde out ſome other Article worthy of cenſure, he ſhould giue notice thereof, and auoyd impertinent queſtions in all, wherein one might diſpute on both ſides, without preiudice of faith, and all other ſuperfluity and tedioufneſſe of words. 1547 PAVL 3. CHARLES 5. HENRIE 8. FRANCIS 1.

Of the Sacraments in generall there were foureteene Articles. 1. That the Sacraments of the Church are not ſeuen but fewer, which may be called truely Sacraments. 2. That the Sacraments are not neceſſary, and that men may obtaine the grace of God without them, by faith onely. 3. No Sacrament is more worthy then another. 4. That the Sacraments of the new Law doe not giue grace vnto thoſe, who doe not reſiſt. 5. That the Sacraments haue neuer giuen grace or remiſſion of ſinnes, but onely the faith of the Sacrament. 6. That immediately after the ſinne of *Adam*, the Sacraments were inſtituted by God, by meanes whereof grace was giuen. 7. By the Sacraments, grace is giuen to him onely, who beleeueth that his ſinnes are remitted. 8. That grace is not giuen alwayes in the Sacraments, nor vnto all, in reſpect of the Sacrament it ſelfe, but onely when and where it pleaſeth God. 9. That in no Sacrament a *Caracter* is imprinted. 10. That a bad Miniſter doth not conferre the Sacrament. 11. That all Chriſtians of what ſex ſoeuer, haue equall power in the miniſtery of the Word of God and Sacraments. 12. That euery Paſtour hath power to make long, or ſhort, or change at his pleaſure, the formes of the Sacraments. 13. That the intention of the Miniſters is not neceſſary, and worketh nothing in the Sacraments. 14. That the Sacraments haue beene inſtituted only to cheriſh faith. Fourteene Articles of the Sacraments in generall.

Of Baptiſme there were ſeuenteene Articles. 1. That in the Romane Catholique Church, there is no true Baptiſme. 2. That Baptiſme is free, and not neceſſary to ſaluation. 3. That it is not true Baptiſme which is giuen by Heretiques. 4. That Baptiſme is repentance. 5. That Baptiſme is an externall ſigne, as the red marke in the Lambes, and hath no part in iuſtification. 6. That Baptiſme ought to be renued. 7. That true Baptiſme is faith, which beleeueth that ſinnes are remitted to the penitent. 8. That in Baptiſme ſinne is not rooted out, but onely not imputed. 9. That the Baptiſme of CHRIST and *Iohn*, haue the ſame vertue. 10. That the Baptiſme of CHRIST hath not made voyd that of *Iohn*, but hath added the promiſe vnto it. 11. That in Baptiſme the immerſion onely is neceſſary, and all other things, beeing free, may be omitted without ſinne. 12. That it is better to omit the baptiſme of children, then baptize them while they doe not beleeue. 13. That children ought not to bee rebaptized, becauſe they haue not proper faith. 14. That thoſe that are baptized in their childhood, comming to the age of diſcretion, ought to be rebaptized, becauſe they haue Seuenteene Articles of Baptiſme.

1547
PAVL 3.
CHARLES 5.
HENRY 8.
FRANCIS 1.

not beleeued. 15. That those that haue beene baptized in their infancie, when they come to age, ought to be interrogated, whether they will ratifie that Baptisme, and, if they deny, ought to be left in liberty. 16. That sins committed after Baptisme are remitted, onely by the memory and faith that one hath beene baptized. 17. That the vow of Baptisme hath no other condition but of faith, yea nullifieth all other conditions.

Foure Articles of Confirmation.

Of Confirmation there were foure Articles. 1. That Confirmation is not a Sacrament. 2. That it is instituted by the Fathers, and hath no promise of the grace of God. 3. That now it is an idle ceremony, and formerly was a Cathechisme, when children, comming to age, gaue an account of their faith, before the Church. 4. That the Minister of Confirmation is not the Bishop only, but any Priest whatsoeuer.

All agree that there are seuen Sacraments, but not that there are no more.

In the Congregations, all the Diuines agreed, in affirming the number of seuen, and condemning the contrary opinion as hereticall, in regard of the generall consent of the Schooles, beginning from the Master of the Sentences, (who spake definitiuely thereof) vntill this time. To this they ioyned the Decree of the Florentine Councel for the Armenians, which determineth that number, and, for greater confirmation, the vse of the Romane Church was added; whence they concluded, that it ought to be held for an Apostolicall tradition, and article of Faith. But, for the second part of the Article, all did not agree, some saying it was enough to follow the Florentine Councel, which passed no further. For to decide that the proper Sacraments are neither more nor fewer, doth presuppose a decision of the true and proper essence, and a definition of the Sacrament; a thing difficult, in regard of the many definitions, brought not onely by the Schoole-men, but by the Fathers also, of which one will make that to be a Sacrament, which another doth not. That it is a question also amongst the Schoole-men, whether the Sacrament can be defined, whether it haue vnity, whether it bee reall, or intentionall: and that it is not reasonable, in such ambiguity, to tie conclusions with so strong a bond. It was remembred, that Saint *Bernard*, and Saint *Cyprian*, accounted the washing of feete a Sacrament, and that Saint *Austin* made euery rite, by which GOD is honoured to bee a Sacrament: and elsewhere vnderstanding the word more strictly then the propriety doth comport, maketh Sacraments onely those, which are expressely mentioned in the New Testament, which are Baptisme, and the Eucharist onely, though he doubteth in one place, that there is another.

For the other part it was said, that it was necessary to establish for an Article, that the proper Sacraments, are neither more nor lesse, to represse the boldnesse as well of the Lutherans, who make them sometimes two, sometimes three, sometimes foure, as also of those who exceed seuen, and if sometimes a greater number, and sometimes a lesse, be found in the Fathers, it was because then, before the determination of the Church, it was lawfull to vse the word in a more large, or more strict signification. And here to establish the sufficiency of this number of seuen, as the Schoole-men speake, that is that they are neither more nor lesse, they were tedious in recounting the reasons deduced from seuen naturall things, by which life is gained and preserued; from the seuen vertues; from the seuen capitall vices; from the seuen

Reasons to proue the number of 7.

uen defects, which came from originall sin; from the sixedayes of the creation of the world, and seuenth of rest; from the seuen regions of *Egypt*; from the seuen Planets; from the famousnesse of the number of seuen, and other congruities, vsed by the principall Schoole-men, for proofe of the conclusion; and many reasons why the consecration of Churches, of the vessels of Bishops, Abbats, Abbesses, and Monkes, are not Sacraments, nor holy water, nor the washing of feet, as Saint *Bernard* said, nor Martyrdome, nor the creation of Cardinals, nor Coronation of the Pope. 1547 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

Some saide, that, to bridle the Heretiques, it was not sufficient to condemne the Article, if euery one of the Sacraments were not particularly named, for feare some bad spirit might exclude some of the true, and substitute some false. Afterwards, another essentiall point, for the Article, was called to minde; that is, to determine the Institutor of all the Sacraments, which is CHRIST; to condemne the heresie of the Lutherans, who ascribe to CHRIST, the ordination of Baptisme, and the Eucharist only. And that CHRIST ought to be held, by faith, for the Institutor, Saint *Ambrose*, Saint *Austine*, and aboue all, the Apostolicall Tradition was allcadged: from which no man dissented. But some said, they ought not to goe on so farre, and that it was enough, to keepe within the bounds of the Florentine Councell; and the rather, in regard that the Master of the Sentences held, that Extreame Vnction was instituted by Saint *Iames*, and Saint *Bonauenture*, with *Alexander*, that Confirmation beganne after the Apostles. And the same *Bonauenture*, with other Diuines, maketh the Apostles authors of the Sacrament of Penance. And many haue said of Matrimony, that it was instituted by God in Paradise. And CHRIST himselfe, when hee spake of it, in a place fit to name the authour, doth attribute the institution thereof, not to himselfe, but to the FATHER in the beginning. For these respects, they aduised not to adde that point, for feare of condemning the opinion of the Catholiques. The Dominicanes on the contrary, did affirme, with some bitternesse of words, that those Doctors might be expounded and saued, with diuers distinctions, and that they would euer haue referred themselues to the Church; but the Lutherane boldnesse ought not to passe without condemnation, who haue brought in those falsities, with contempt of the Church; and that was not to be tolerated in the rash Lutheranes, which might bee indured in the holy Fathers.

Concerning the dignitie of the Sacraments.

In the second Article, of the necessity of the sacraments, some would not haue the condemnation to be absolute, but a distinction made, in regard it is certaine, that all are not absolutely necessary. There was another opinion also to be condemned, which said, That the Sacraments were not necessary in the Church, because it is certaine, they are not necessary to euery one, yea that some are incompatible, as Order, and Matrimony. Yet the more common opinion was, that the Article should bee condemned absolutely, for two reasons: one, because the necessity of one is sufficient to make the Article false, as it lieth; the other, because they are all necessary in some sort, some absolutely, some by supposition, some by conueniency, and some for greater vtility. But many maruailed, that Articles of Faith should bee established, in such multiplicity of equiuocation. For whose satisfaction, when

The necessity of the Sacraments.

The fourth Article is generally condemned.

the

1547 Pavl 3. Charles 5. Henry 8. Francis 1.

the Canons were composed, there was added, condemning him that held the Sacraments not to be necessarie, but superfluous; inlarging by this last terme, the signification of the first.

Many were of opinion that the other part of the Article ought to bee omitted, because it was defined in the last Session, that faith onely was not sufficient: and *Marinarus* said, that the distinction of the Sacrament in vow, was vsed by the Schoolemen, but was vnknowen to antiquity, and full of difficulties. For in the *Actes of the Apostles*, when *Cornelius* the Centurion was instructed, the Angell said, his prayers were acceptable to God before hee knew the Sacrament of Baptisme, and other particulars of faith; and all his familie, hearing the Sermon of Saint *Peter*, receiued the holy Ghost, before they had beene instructed in the doctrine of the Sacraments: and after the holy Ghost receiued, they were instructed concerning Baptisme, by Saint *Peter*; so that hauing no knowledge of it, they could not receiue it in vow; and the Thiefe vpon the Crosse, then onely illuminated by the vertue of Christ, knew not the Sacraments, nor could make any vow of them. And many holy Martyrs, conuerted in the heate of persecution, by seeing the constancie of others, and presently taken and put to death, one cannot say, but by diuination, that they knew the Sacraments, and could make a vow. Therefore it was better to leaue that distinction to the Schooles, and not put it in the articles of faith. The common opinion was to the contrarie, saying, that although the words of the distinction were new and scholasticall, yet one must beleeue, that the thing signified was taught by Christ, and is an Apostolicall tradition: and for the examples of *Cornelius*, the Thiefe, and Martyrs, it is to bee vnderstood, that there are two sorts of vowes of the Sacrament; the one explicite, the other implicite; and, at the least, this second is necessarie: that is, that they had not the vow actually, but would haue had it, if they had been informed. These things the others granted to be true, but not obligatorie, as Articles of faith. The difficulties, in which they could not agree, were referred to the Synod, that is, to the generall Congregation.

Concerning the dignitie of the Sacraments.

As it hapned also in the third Article, which, though euery one thought to bee false, yet all did agree, that, in regard of the necessitie and vtilitie, Baptisme doth precede; in regard of the signification, Matrimony; in regard of the dignitie of the Minister, Confirmation; in regard of diuine worship, the Eucharist: but because one cannot say, without a distinction, which is more worthy, it is better to omit the Article, which cannot be vnderstood without subtultie. Another opinion was, that all the respects of dignitie ought to bee expressed. And another, that the clause should bee added to the Article; that is, according to the diuers respects. This opinion was most followed, but did much displease those, who could not endure that the Synode should abase it selfe to these scholasticall fooleries, (for so they called them) and beleeue that Christ would haue these weake opinions brought into his faith.

The fourth Article is generally condemned.

All thought that the fourth Article ought to bee condemned; yea, that it was necessary to amplifie it, condemning the doctrine of *Zuinglius* in particular, who will haue the Sacraments to bee but signes, by which the faithfull

full are discerned from Infidels; or Actes, and exercises of the profession of Christian faith, hauing no other relation to grace, but as signes that one hath receiued it. After they treated of condemning those who denie that Sacraments doe conferre grace, to him that putteth not a barre, or doe not confesse, that grace is contained in the Sacraments, and conferred, not by vertue of faith, but *Ex opere operato*. But comming to expound how they are contained, and their causalitie, euery one did agree, that grace is gayned by all those actions that excite deuotion, which proceedeth not from the force of the worke it selfe, but from the vertue of deuotion, which is in the worker; and these are said in the Schooles, to cause grace, *Ex opere operantis*. There are other actions which cause grace, not by the deuotion of him that worketh, or of him that receiueth the worke, but by vertue of the worke it selfe. Such are the Christian Sacraments, by which, grace is receiued, so that there be no barre of mortall sinne, to exclude it, though there bee not any deuotion. So by the worke of Baptisme, grace is giuen to the infant, whose minde is not moued toward it, and to one borne a foole, because there is no impediment of sinne. The Sacrament of Chrisme doeth the like, and that of extreame vnction, though the sicke man hath lost his memorie. But hee that hath mortall sinne, and doeth perseuere actually, or habitually, cannot receiue grace, by reason of the contrarietie, not because the Sacrament hath not vertue to produce it, *Ex opere operato*, but because the receiuer is not capeable, being possessed with a contrarie qualitie.

1547
Paul 3. Charles 5. Henry 8. Francis 1.

Whether the Sacraments do confer grace *Ex opere operato*.

Though they all agreed in this, yet they differed, because the Dominicans did affirme, that howbeit grace is a spirituall qualitie, created immediately by God, yet it is an instrumentall and effectiue vertue in the Sacraments, which causeth a disposition in the soule to receiue it. And therefore it is said that they containe grace; not that it is in them, as in a vessell, but as the effect in the cause, alleadging a subtill example, as the chezill is actiue, not onely in scabling the stone, but in giuing forme to the Statue. The Franciscans said that it could not bee conceiued, how God, being a spirituall cause, can vse a corporall instrument, for a spirituall effect, as is grace: they did absolutely deny all effectiue or dispositiue vertue in the Sacraments, saying they haue no vertue, but by the promise of God, that so often as they shall be administred, he will giue his grace to them. Therefore it is said they doe containe it, as in an effectuall signe, not by any vertue of their own, but by a Diuine promise, of infallible assistance to the ministerie. Therefore it is a cause, for that the effect doeth follow, not by any vertue of its owne, but by the promise of God, to giue grace at that time; as the merite is cause of the reward, without any actiuitie. This they prooued, not onely by the authoritie of *Scotus*, and Saint *Bonauenture*, their Diuines, but by Saint *Bernard* also, who saith that grace is receiued by the Sacraments, as a Canon is inuested by the booke, and a Bishop by the ring. The reasons were expounded on both sides, with great prolixitie, and sharpenesse. And they censured one another. The Dominicans saide, that the other opinion was neere to Lutheranisme; and the others, that theirs, beeing impossible, gaue occasion to the heretikes to calumniate the Church. Some good Prelates desired (though

The *Franciscans* and *Dominicans* cannot agree about the manner how the Sacraments doe containe grace.

without

1547
Pavl 3.
Charles 5.
Henry 8.
Francis 1.

without effect) to make peace, saying, that in regard they agreed in the conclusion, that the Sacraments conteine and are cause of grace, it did little import in what manner, and that it was better, not descending to particulars, to stand in the generall. But the Friars replied that they spake not of words, but of establishing, or annihilating the Sacraments. There would neuer haue been an end, if the Legate *Santa Croce* had not giuen order that they should passe to that which remained, and that afterwards they should returne to examine whether it were necessary to decide the point, or to leaue it.

The Legates vse meanes to represse the dangerous libertie of the Friars.

The Legates called vnto them the generals of the orders, and prayed them to cause the Friars to treate with modestie and charitie, without partialitie to their owne sect, shewing they were called to speake against heresies, and not to make new arise, by disputes. And they wrote thereof to *Rome*, shewing how dangerous the libertie was which the Friars did assume, and to what it might come. And they told the Pope that a moderation was necessary. For there being a fame spred of those dissensions, and censures which one partie pronounced against the other, it must needes raise scandal, and small reputation of the Councell.

It was thought fit to omit the fifth Article, as decided in the former Session. But Friar *Bartholmew Miranda* called to minde that *Luther*, by that paradox of his, that the Sacraments doe not conferre grace, but by exciting faith, drew also a conclusion, that those of the old, and of the Euangelicall law, are of equall vertue; which opinion was to bee condemned, as contrary to the doctrine of the Fathers, and the Church; all hauing said, that the olde Sacraments were onely signes of grace, but the new conteine it and cause it. No man did contradict the conclusion; but the Franciscans proposed: that it should not bee said of the old law, but of *Moses* Law, in regard that Circumcision it selfe did cause grace: but it was not a Mosaicall Sacrament; for Christ also said, it was not of *Moses*, but of the Fathers; and also because other sacrifices, before *Abraham*, did conferre, and cause grace. The Dominicans replied that Saint *Paul* sayd plainely, that *Abraham* had receiued the Circumcision onely for a signe; that hee being the first vnto whom it was giuen, it is as much as to say it was instituted onely for a signe. And the questions of the manner of conteining, and causing grace, returned into the field. Friar *Gregorie*, of *Padua*, said hereupon, that it was a cleere case in Logique, that things in the same kinde haue identie and difference amongst themselues. If the old Sacraments and ours had onely difference, they would not all bee Sacraments, but equiuocally; if onely identie, they would bee absolutely the same thing. Therefore they must beware to put difficultie in plaine matters for some diuersitie of wordes; and that Saint *Austine* had saide, that these and those, are diuers in the signe, but equall in the thing signified. And in another place, that they were diuers in the visible *species*, but the same in the intelligible signification; and that else where hee puts a difference, that those were *promissiue*, and these *demonstratiue*: which another doth expresse in another terme, that those were *pronunciatiue*, and these *contestatiue*. Whence it plainely appeareth, that they agree and differ in many things; which no sensible man can deny: and therefore it was wisdome, not to put that Article in the beginning, neither was it to

any

any purpose to touch it in the present Decree. Another opinion came forth, that the opinion of the Lutherans, and Zuinglians, was to bee condemned, without descending to the particulars. For they say, there is no difference, betweene the old and new Sacraments, but in the rites. But it hath beene shewed, that there are other differences; and therefore, they are to be condemned for this onely, without descending to shew what those differences are. 1547 PAVL. 3. CHARLES 5. HENRY 8. FRANCIS 1.

But the sixt was censured by the Dominicans, who said it was proper to the Euangelicall Sacraments to giue grace, and that the old did not giue it, but onely by the vertue of deuotion: and that this was the opinion of Saint *Thomas*. They alleadged, for a principall ground, the determination of the Florentine Councell, that the Sacraments of the old Law did not cause grace, but did figure, that it must bee giuen by the passion of CHRIST. But because S. *Bonauenture*, and *Scotus* did maintaine, that the Circumcision did conferre grace *Ex opere operato*, *Scotus* adding, that, immediatly after the sinne of *Adam*, a Sacrament was instituted, in which a grace was giuen to babes by vertue of it, that is, *Ex opere operato*, the Franciscans said the Article was true, and could not bee censured; and that if, as Saint *Thomas* said, children, before CHRIST, were saued by the fathers faith, the state of Christians was worse. For now the fathers faith doth not helpe the children, without Baptisme; and Saint *Austine* saith, that the child that is caried by the father to bee baptized, if hee die in the way, is damned. So that if faith onely did then suffice, the condition of the sonnes of Christians is now worse. In these difficulties, many did propose, that the Article, as probable, should bee omitted.

To leaue out the seuenth and eight, there was a great agreement. But in the ninth, of the Caracter, Friar *Dominicus Soto* endeuoured to declare, that it hath foundation in the holy Scripture, and hath euer bin held in the Church for an Apostolicall Tradition: and though the name hath not beene vsed by the Fathers, yet the thing signified is most ancient. Others did not grant him so great a scope, because it did not appeare, that *Gratian*, or the Master of the Sentences, had made any mention thereof. Yea *Iohn Scotus* said, that it was not necessary, by the words of the Scripture, or of the Fathers, to affirme it, but onely by the authority of the Church; a thing vsuall with that Doctor, to deny things with a kind of courtesie. It was worth the knowing, what thing they meant it should be, and where scituated, in such multiplicity of schoole opinions: some making it a quality; and amongst those were foure opinions, according to the foure kindes of the qualities; some a spirituall power; some an habite or disposition; others a spirituall figure; and the opinion that it was a sensible metaphoricall quality, did not want abettors. Some would haue it a reall relation; some, a fabrique of the mind; who were to declare how farre it differed from nothing. The same variety of opinions, concerning the subiect, was troublesome; some placed it in the essence of the soule; some in the vnderstanding; some in the will; and there wanted not, who gaue it place in the hands and tongue. *Ieronie* of Prauiga, a Dominican Friar, thought that the Sacraments did imprint a spirituall quality, before the comming of grace; and that it was of two sorts: one which

Concerning the Caracter imprinted by the Sacrament.

1547 Paul 3. Charles 5. Henrie 8. Francis 1.

which can neuer be abolished, the other which may bee loſt, and regayned; the former whereof, is called a Caracter, and the latter, a certaine ornament. The Sacraments which giue the firſt, cannot be reiterated, becauſe their effect euer remayneth; the others may, when their effect is loſt. This caried a faire ſhew, but was not approoued by many, becauſe there was no other author to be found of that ornament, but Saint *Thomas*; who alſo, though he begat it, yet did not thinke it worthy of education. But howſoeuer, all agreed in this generall, that three Sacraments haue the Caracter; yet ſome did ſay modeſtly, that it was to bee approoued as more probable, not as neceſſary: others, on the contrary, that it was an article of faith, becauſe *Innocentius* the third, made mention of it, and was ſo defined by the Councel of *Florence*.

Three Sacraments haue a Caracter.

The Article, that the honeſty of the Miniſter was not neceſſary, was ſo diſcuſſed by Saint *Auſtine*, in ſo many bookes, againſt the Donatiſts, that the Diuines did all agree: and beſides it was alleadged, for a principall ground, that the Article was condemned, by the Councel of *Conſtance*, amongſt the errors of *Iohn Wickliefe*.

They all condemned the eleuenth Article, as contrary to the Scripture, Tradition, and vſe of the vniuerſall Church.

The twelfth, of the formes of the Sacraments, was diſtinguiſhed, as receiuing two ſences: vnderſtanding by forme, either the eſſentiall words, as it is ſaid, that euery Sacrament hath, for matter, the ſenſible element, and, for forme, the word; or vnderſtanding, by forme, all the forme and rite of the Miniſtery, which includeth many things not neceſſary, but decent. And they thought fit to make two Canons thereof; by the firſt, condemning him of hereſie, that ſaith, that the forme may be changed, being inſtituted by CHRIST. But, for the ſecond ſence, though accidentall things may receiue mutation, yet when any rite is brought in by publike authority, receiued and confirmed, by common vſe, it ſhould not be in euery mans power to change it, but onely in the Popes, as Head of the Church vniuerſall, when it is conuenient for ſome new reſpect.

Concerning the forme of the Sacraments.

In the thirteenth, of the intention of the Miniſter, they could not diſſent from the Councel of *Florence*, which holds it neceſſary; but what intention was required, was hard to expreſſe, in regard of the variety of opinions, about the efficacie and vertue of the Sacraments; becauſe there cannot bee the ſame intention of two, who haue diuers opinions. The common ſentence was, that the intention to doe as the Church did, was ſufficient. Notwithſtanding this reſolution, the difficulties remayned, for that mens opinions, what the Church is, being diuers, their intention in adminiſtring the Sacrament, would prooue various alſo. It ſeemed they might ſay, it was not different, when all had the ſame ende, to doe that which hath beene inſtituted by CHRIST, and obſerued by the Church, though a falſe Church be taken for a true; ſo that the rite of the one and the other be the ſame.

Concerning the intention of the Miniſter in the adminiſtration of the Sacraments.

In this particular, the Biſhop of *Minori* propoſed a thing worthy to be repeated heere, and eſteemed by all to deſerue great conſideration. He ſaid, that to the Lutherans, who giue no other vertue to the Sacraments, then to excite faith, which notwithſtanding, may bee ſtirred vp ſome other way, it

A diſcourſe of the Biſhop of *Minori* about the intention of the Miniſter.

did

did little import to receiue the true Sacrament. Whereuppon they say it is not necessarie, and thinke it not conuenient, that the malice of a wicked Minister, who hath no intention to conferre the true Sacrament, should bee able to hurt, because wee are to regard what the faithfull receiueth, and not what is giuen him. But amongst the Catholikes, who doe truely attribute to the Sacrament power to giue grace to him that doeth not resist it, seeing it happeneth very seldome, that grace is obtained by any other meanes, surely little children, and many who haue but small vnderstanding, are saued no other way. And ordinarie men haue so weake a disposition, that it would not suffice without the Sacrament. And those few, who, as *Phenixes*, haue a perfect disposition, yet doe receiue greater grace by the Sacrament. Therefore it much concerneth a Christian to bee assured, that hee receiueth that which is true and effectuall. If a Priest, hauing charge of foure or fiue thousand soules, were an infidell, but a formall hypocrite, and in absoluing the penitent, baptizing of children, and consecrating the Eucharist, had an intention nor to doe what the Church doeth, it must bee said that the children are damned, the penitent not absolued, and that all remaine without the fruit of the Communion. Neither is it enough to say, that faith supplyeth; because it doth not helpe children at all, according to the Catholike doctrine, nor others, so much as the Sacrament: and to attribute so great vertue to faith, were to take all vertue from the Sacraments, and to fall into the Lutheran opinion. 1547 PAVL 3. CHARLES 5. HENRIE 8. FRANCIS 1.

Hee considered how a tender Father would be afflicted when his sonne was about to die, if hee doubted of the intension of the baptizing Priest. So hee that feeleth himselfe of a weake disposition, and is to be baptized, what anxietie will hee haue, that perhaps the Priest is a counterfeit Christian, and mocketh him, not meaning to baptize him, but onely to wash him in iest. And the same may bee feared in confession, and receiuing the Eucharist. He added, if any said these cases were rare, would to God it were so, and that, in this corrupt age, wee had not cause to doubt they were many. But suppose they are very few, or but one onely. Let there bee a knaue Priest, who fayneth, and hath not, an intension to administer the true Baptisme to a childe; who after, being a man growne, is created Bishop of a great Citie, and liueth many yeeres in that charge, so that hee hath ordained a great part of the Priests; it must bee said, that hee, being not baptized, is not ordained, nor they ordained, who are promoted by him. So, in that great Citie, there will bee neither Eucharist, nor Confession, because they cannot bee without the Sacrament of order, nor order without a true Bishop, neither can he receiue order who is not baptized. Behold millions of nullities of Sacraments, by the malice of one Minister, in one Act onely. And hee that thinketh that God supplieth by his omnipotencie, and prouideth against these dayly occurrences by extraordinarie remedies, will sooner make one beleeue that God, by his prouidence, hath prouided that such accidents should not happen. Therefore the Bishop said to euery inconuenience, God hath made prouision heerein, by ordaining that to bee a Sacrament which is administred, according to the rite instituted by himselfe, though the Minister haue another inward intention. And hee added that this doeth not crosse the common

1547 PAVL 3. CHARLES 5. HENRY 8. FRANCIS 1.

doctrine of the Diuines, or the determination of the Florentine Councell, which requireth intention, becauſe the inward intention is not to bee vnderſtood, but that which is manifeſted by the eternall worke, though inwardly it bee contrarie. And ſo all inconueniences are remooued, which otherwiſe are innumerable. Hee brought many reaſons for proofe, and at laſt the example written by *Sozomene*; That the children of *Alexandria*, being at play by the Sea ſide, did imitate, in ieſt, the actions vſed in the Church, and *Athanaſius*, created Biſhop of the play, did baptize other children not baptized before; whereof *Alexander*, of famous memorie, Biſhop of *Alexandria*, being aduertized, he was troubled at it, and called the children, and asked what their Biſhop had done, and ſaid vnto them: and vnderſtanding that all the Eccleſiaſticall rite was obſerued, by the Counſel of other Prieſts, did approoue the baptiſme; which could not bee maintained, if ſuch an intention, as others ſpake of, were required, but might well bee in that manner that himſelfe did expreſſe it.

Athanaſius being a child did baptize other children.

The Diuines did not approoue this doctrine, yet were troubled, and knew not how to reſolue the reaſon: But they ſtill defended that the true intention of the Miniſter was neceſſarie, either actuall, or virtuall, and that without it the Sacrament was not of force, notwithſtanding any externall demonſtration. I muſt not refraine to ſhew alſo (though it bee an anticipation of the fit time) that howſoeuer the Synode did after determine abſolutely that the intention of the Miniſter is neceſſarie, yet this Prelate remained firme, and, in a little Booke that hee wrote of this Subiect a yeere after, did ſay that the Synode of *Trent* was of his opinion, and that the determination ought to bee vnderſtood in his ſence. There was no difficultie in condemning the laſt Article, by reaſon of that which hath beene ſaid by others.

The opinion of the Biſhop of *Mimori* was not receiued. But a yeere after he publiſhed a little Booke to ſhew that the Synod was of his minde.

The matter of Baptiſme, in the third Article, gaue them greater trouble, what that Baptiſme is, which is giuen by the heretikes. All grounded themſelues vpon the Schoole doctrine, receiued by the Florentine Councel, that a Sacrament requireth matter, forme, and intention, and that water is the matter, the expreſſion of the Act in the name of the Father, the Sonne, and the holy Ghoſt, the forme; and to doe what the Church doeth, the intention. Whereupon they eſtabliſhed an vndoubted concluſion, that thoſe heretikes haue true baptiſme, and agree with vs in theſe three things; which they ſayd was receiued by an Apoſtolicall tradition, eſtabliſhed long before by Pope *Stephanus* the firſt, in the beginning of the third age, and approoued by all the Church following. But thoſe that vnderſtand antiquitie doe know, that this was not the opinion of *Stephanus*, in whoſe time, matter, forme, and intention were not heard of. For that Pope did thinke abſolutely that thoſe who were conuerted from any hereſie whatſoeuer, ought not to bee rebaptized; though, in thoſe times, the heretikes, except ſome few *Montaniſts*, were *Gnoſtiques*, who vſed extrauagant baptiſmes, by reaſon of the exorbitant opinions which they held, of the diuinitie, and perſon of CHRIST. And it is certaine that thoſe Baptiſmes had not the forme which is vſed now, and yet the Church of *Rome* did then receiue to repentance, euery ſort of heretikes indifferently, without rebaptizing them. The Biſhops of *Africa* and

Capadocia were directly oppoſite, ſaying, that all heretikes were to be rebaptized. In the Councel of *Nice* a middle courſe was held, that is, that the *Cathari* ſhould not bee rebaptized, but the *Paulianiſts* and *Montaniſts* ſhould. The Councell of *Conſtantinople* did name many heretikes which were to bee rebaptized, and others to bee receiued to baptiſme with them, in whom it would bee hard to ſhew that the ſame forme was vſed. But (which is of more importance) Saint *Bernard* doth witneſſe, that the *Nouatians, Buerariques, Saccofors* were not rebaptized in *Rome*, whom notwithſtanding hee did rebaptize; neither did that Saint thinke this diuerſitie to bee abſurd: onely hee ſaid, it would be good to aſſemble many Biſhops to reſolue vpon an vniforme proceeding. But giuing no more heede to theſe things then to fables, they held the current doctrine, that an heretike doth truely baptize, if hee vſeth the words, and hath the intention of the Church.

1547 Pavl. 3. Chapter 9. Henry 2. France.

The fourth Article; that Baptiſme was Repentance, in regard of the force of the ſpeach, was held by many not to bee falſe, alleadging the Euangeliſt, who ſaith, that *Iohn* preached *the Baptiſme of Repentance*, and that *Paul*, in the ſixt to the *Hebrewes*, calleth Baptiſme by the name of *Repentance*. And ſo many Fathers haue ſaid the ſame, that the Article could not bee condemned, except it did ſay, that Baptiſme was the Sacrament of Penance. But becauſe it ſeemed in this ſence to bee the ſame with the ſixteenth Article, many thought fit to leaue it.

The 9. and 10. belonging to the Baptiſme of *Iohn*, many were of opinion that they ought to bee omitted. For not ſpeaking of thoſe of the old lawe, it was leſſe fit to ſpeake of that which was in the middle, in regard their ſcope was to handle the Sacraments of the new law. But others ſaid, that the heretikes minde was, not to exalt the Baptiſme of *Iohn*, and to make it equall with that of CHRIST, but to abaſe that of CHRIST, and to make it equall with *Iohns* baptiſme; inferring, that, as this did not giue grace, but was a pure ſignification, ſo was ours alſo, which is a moſt formall hereſie.

Whether the baptiſme of *Iohn* & Chriſt be equall.

In the eleuenth of the Rites, ſome would haue the ſubſtantials diſtinguiſhed from others, and ſaid, that thoſe onely cannot bee omitted without ſinne. Others would exclude the caſe of neceſſitie onely, and that otherwiſe it was not lawfull to omit any whatſoeuer; for in regard the Church, gouerned by the holy Ghoſt, hath ordained them, they are neceſſary by the precept, though not by the ſubſtance of the Sacrament. They alleadged many Chapters of the Popes, and Councels, all which would prooue vaine, if euery one might change as he liſteth. That part which ſpeaketh of immerſion, though it bee a more expreſſe figure of the death, buriall, and reſurrection of CHRIST, yet it was condemned by all, and many places of the Prophets were alleadged, where aſperſion, or effuſion of water is ſpoken of, all which, they ſaid, ought literally to bee vnderſtood of baptiſme.

All ſet themſelues againſt thoſe three which ſpeake of the baptiſme of children, alleadging the doctrine of the ancient Fathers and Schoolemen; and many inuectiues were made againſt *Eraſmus*, attributing vnto him the iuuention of the fifteenth, ſaying, it was impious and pernicious, and would open a way to aboliſh all Chriſtian Religion: adding, that if the children of the vncircumciſed Iewes, comming to age, were bound to keepe all the law,

Eraſmus is taxed.

1547 and were punished for transgressing it, it was more iust to compell the sonnes of the faithfull to obserue the Christian law; that the vniuersitie of *Paris* had deseruedly condemned the Article, and so ought the Synod to doe.

Paul. 3. Charles 5. Henry 8. Francis 1.

They concluded, that the sixteenth was conteined in the former Articles, because it did take away penance, one of the seuen Sacraments. But all said, that the last was contrary to the proper ministery of baptisme, in the very beginning whereof the catechized is admonished, that, if he will haue eternall life, it is necessary to obserue all the commandements.

Of Confirmation, Chrisme and Vnction.

In the Articles about confirmation, there was no difference; and all, for their ground, did alleadge the Councell of *Florence*. And that which is said in the third Article, that yong men did formerly giue an account of their faith in the presence of the Church, was generally decided, that, not being vsed in these times, one ought to beleeue it was neuer vsed before; for the Church would neuer haue intermitted that ceremonie. Many places of Councels and ancient writers were alleadged, making mention of Chrisme, and Vnction, which cannot agree to instruction or examination. Therefore they concluded, that it was a most vaine ignorance, to change so principall a Sacrament, against the common meaning of all the Church, into a rite perhaps vsed in some particular place, but neuer vniuersally, as the Vnction of the Chrisme.

Whether onely the Bishop be minister of Confirmation.

Vpon the last aticle there was much difficultie, in regard Saint *Gregorie*, the Pope, did grant that ministery to simple Priests. The Franciscans, according to the doctrine of Saint *Bonauenture*, followed by *Iohn Scotus*, and their order, which doth attribute the ministery to the Bishop onely, as Pope *Adrian* the sixt did also maintaine, answered, that it was a permission onely for that time, and against the Popes wil, to auoide the scandall of those people: or else that the Vnction, permitted by *Gregorie*, was not the Sacrament of confirmation. Which answere not pleasing Saint *Thomas*, because it did not wholly free the Pope from hauing erred, hee found a temper, and said, that though the Bishop bee the minister of Confirmation, yet, with the Popes permission, it may bee administred by the Priest. Others opposed, and said that the doctrine of the Romane Church was absolute, that the ministers of Sacraments are instituted by Christ, whom though the Pope can command to the exercise of the ministerie, yet hee cannot make the Sacrament to bee of force that is administred by others, nor nullifie that which is conferred by the minister, instituted by Christ, though against his commandement. And therefore if Christ hath instituted the Bishop for minister, the Pope cannot make that grant to the Priest; if Christ hath granted that the Priest may doe it, the Pope cannot hinder him. For it would seeme a strange thing, that in the other Sacraments, being all of greater necessitie, Christ should prescribe the minister, without leauing any libertie vnto men, and in this, which may at any time be deferred, vse a singularitie, whereof, for sixe hundred yeeres, vntill the time of *Gregorie*, no man had made any mention, building an Article of faith vpon foure words, spoken by occasion: and if the epistle had been lost, no man would euer haue inuented that distinction, vnusuall in such a matter, nor to bee applied to any thing but to this place of *Gregorie*.

Others, beeing not satisfied with the resolution of either party, did propose, that the words of the Florentine Councel should bee taken. Some thought fit, onely to condemne him that would say, that the Priest, and not the Bishop onely, is the ordinary Minister; giuing by the word (ordinary) power to inferre, therefore there is another extraordinary, or to say, that there can bee no other, because the Sacraments haue no Minister, but Ordinarie. 1547 PAVL 3. CHARLES 5. HENRIE 8. FRANCIS 1.

While the forenamed Articles, were discussed by the Diuines, in the Congregation of the Canonists, assembled to collect, and remedy the abuses, concerning the Sacraments in generall, and, in particular, of Baptisme, and Confirmation, a Decree was made conteyning sixe heads: which said thus in substance. That the Synode, desiring to remooue the abuses, brought in by men or time, and to teach the Ministers of Churches, and all the faithfull, how to gouerne themselues in obseruing, ministring, and receiuing the Sacraments, doth ordaine. 1. That the Ecclesiasticall Sacraments, shall bee freely conferred, without taking or demanding any thing for them, vnder any pretence whatsoeuer, and no chest, vessell, cloath, or any such thing shall bee shewed, by which a demand may bee intimated; nor the Sacrament shall be denied, or deferred, vpon pretence of any long and ancient custome, not to conferre them before some certaine stipend bee paid, or satisfaction of some debt, considering that neither custome, or length of time, doth diminish the sinne, but rather increaseth it: and the offenders shall be punished according to the lawes, made against symoniacall persons. 2. The Sacrament of Baptisme, shall not bee conferred in prophane places, but in Churches onely, except in case of necessity, and when the children of Kings, and Princes, are to be baptized, according to the constitution of *Clement* the fifth; which shall not take place in all that haue dominion, but onely in great Princes. Neither shall the Bishop giue the Chrisme, but in seemely ornaments, and in the Churches, sacred places, or Episcopall houses. 3. The Sacrament of Baptisme shall bee administred by able Priests, in the mother Churches onely, except, by reason of great difficulty to goe to them, the Bishop thinke fit to grant it to other Churches, or that it hath bene granted time out of minde: in which Churches, holy water, taken from the mother Church, shall bee kept in a cleane and decent vessell. 4. In Baptisme and Chrisme, there shall bee allowed but one god-father, who shall neither bee infamous, nor excommunicated, nor interdicted, nor vnder age, nor a Monke, nor any that cannot performe what he promiseth. And in Chrisme, hee shall not bee receiued for a god-father, who hath not receiued Chrisme himselfe. 5. To take away the abuse, practised in many places, to carry about the water of Baptisme, or christened children, with their forehead bound, to make many god-fathers, by washing of the hands, or loosing the forehead, the Priests, in regard no compaternity is contracted by these meanes, shall not permit the water of Baptisme to bee carried out of the Church, but shall cause it to bee cast into the Sacrary, and the Font to bee shut vp. And the Bishops, when they giue the Chrisme, shall make two clerkes stand at the Church doore, to vntie and wash the foreheads, of those that haue receiued the Chrisme, not suffering any that is tied to goe out of

A Decree of Reformation conteyning sixe heads.

THE TRVE IMAGE OF CHRISTIAN LOVE.

An excellent, learned, and very comfortable Treatise, *meete and necessarie for these* dangerous dayes wherin men are growen so disobedient to God, so vndutifull to their Prince, and so vncharitable to their neighbors.

Written in Latin by Adrian Saxerius a Dominican Frier, *and translated so. yeres ago by an* English Dissenient Frier *named* Richard Rikes, *& now newly conferred with the auncient copies, and published by* A. M. *one of the meanest* grew of the Dominican *chamber.*

Imprinted at London by Iohn Charlewood, dwelling in Barbican. An. 1587.